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THE
GROWTH OF PARLIAMENT
AND THE
WAR WITH SCOTLAND
(1216—1307)

BY

W. D. ROBIESON, M.A.

ASSISTANT TO THE PROFESSOR OF HISTORY IN THE UNIVERSITY OF GLASGOW



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1920

INTRODUCTION

THIS series of English History Source Books is intended for use with any ordinary textbook of English History. Experience has conclusively shown that such apparatus is a valuable—nay, an indispensable—adjunct to the history lesson. It is capable of two main uses: either by way of lively illustration at the close of a lesson, or by way of inference-drawing, before the textbook is read, at the beginning of the lesson. The kind of problems and exercises that may be based on the documents are legion, and are admirably illustrated in a *History of England for Schools*, Part I., by Keatinge and Frazer, pp. 377-381. However, we have no wish to prescribe for the teacher the manner in which he shall exercise his craft, but simply to provide him and his pupils with materials hitherto not readily accessible for school purposes. The very moderate price of the books in this series should bring them within the reach of every secondary school. Source books enable the pupil to take a more active part than hitherto in the history lesson. Here is the apparatus, the raw material: its use we leave to teacher and taught.

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It is our intention that the majority of the extracts should be lively in style—that is, personal, or descriptive, or rhetorical, or even strongly partisan—and should not so much profess to give the truth as supply data for inference. We aim at the greatest possible variety, and lay under contribution letters, biographies, ballads and poems, diaries, debates, and newspaper accounts. Economics, London, municipal, and social life generally, and local history, are represented in these pages.

The order of the extracts is strictly chronological, each being numbered, titled, and dated, and its authority given. The text is modernised, where necessary, to the extent of leaving no difficulties in reading.

We shall be most grateful to teachers and students who may send us suggestions for improvement.

S. E. WINBOLT.
KENNETH BELL.

NOTE TO THIS VOLUME

I AM indebted to Messrs. MacLehose and Co. for permission to reprint two passages from Sir Herbert Maxwell's translation of the "*Chronicle of Lanercost*," which appeared in the *Scottish Historical Review*.

W. D. R.

GLASGOW,
January, 1914

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THE GROWTH OF PARLIAMENT AND THE WAR WITH SCOTLAND (1216—1307)

THE CORONATION OF KING HENRY III. (1216). •

Source.—*Roger of Wendover*, vol. ii., pp. 379-380. (Bohn's Libraries.)

AFTER the death of King John, on the eve of the day of the Apostles Simon and Jude, an assembly was convened at Gloucester in the presence of Gualo, the legate of the Apostolic See, at which there were present Peter, Bishop of Winchester, Silvester, Bishop of Worcester, Ralph, Earl of Chester, William Marshal, Earl of Pembroke, William, Earl of Ferrers, John Marshal, and Philip d'Albiny, with abbots, priors, and a great number of others, to arrange for the coronation of Henry, the eldest son of King John. On the day following, all preparations for the coronation having been made, the legate, in company with the Bishops and nobles aforesaid, conducted the King in solemn procession to the conventual church to be crowned; and there, standing before the great altar, in the presence of the clergy and people, he swore on the Holy Gospels and other reliques of the saints that he would observe honour, peace, and reverence towards God and Holy Church and its ordained ministers all the days of his life; he also swore that he would show strict justice to the people entrusted to his care, and would abolish all bad laws and

customs, if there were any in the kingdom, and would observe those that were good, and cause them to be observed by all. He then did homage to the Holy Church of Rome and to Pope Innocent for the kingdoms of England and Ireland, and swore that, as long as he held these kingdoms, he would faithfully pay the thousand marks which his father had given to the Roman Church. After this, Peter, Bishop of Winchester, placed the crown on his head, and anointed him King with the usual ceremonies of prayer and chanting observed at coronations. After mass had been performed, the Bishops and knights above-mentioned clothed the King in royal robes, and conducted him to table, where they all took their seats according to their rank, and feasted amidst mirth and rejoicing. On the following day, the King received the homage and fealty of all the Bishops, Earls, and others present, and they all promised faithful allegiance to him. Henry was crowned in the tenth year of his age, on the day of the Apostles Simon and Jude, which was the 28th day of the month of October.

THE FAIR OF LINCOLN (1217).

Source.—*Annals of Dunstable*, pp. 49-50. (*Annales Monastici*, vol. iii.—Rolls Series.)

Meanwhile the Earl of Chester laid siege to the Castle of Mount Sorel with the King's army; but the Barons, who had been delaying in London, set out with the Count of Perche, the Marshal of France, and a thousand men, granted to them by Louis, and proceeded innocently enough as far as Dunstable, but thereafter devastated everything, sparing not even widows and churches. They forced the Earl to raise the siege of the above-mentioned castle, and then, after changing its garrison, and renewing its stock of provisions, they continued on their way to Lincoln, where, joining Gilbert de Gaunt and other Barons there present, they besieged the Castle of Lincoln, which was gallantly defended by a noble lady, Nicola by name. But some days afterwards, the legate, with William Marshal and the Bishops, Earls, and other partisans of the

King, wearing white crosses on the breasts of their tunics reached Newark in pursuit; the legatè advanced no further, but delegated to the Bishop of Winchester his duties of absolving the loyal subjects of the King from their sins, and of encouraging them to make a bold stand. When the King's party approached Lincoln from the west, the Barons who were within drew up their line of battle and placed their scaling-ladders outside the city on the west side; but when they perceived the Royalists coming on with a powerful force, they adopted some coward's base counsel, and began to retreat within the city, being pursued by the royal army up to the gate and walls which give on the north. A brave knight, Fawkes de Breauté, who had been admitted by a guard into the castle through the postern gate, assaulted the Barons in the rear; whereupon they, seeing themselves attacked from both sides, left the walls, and descending towards Wigford, turned their weapons against Fawkes. But Simon de Peschi, with Henry Braybrook and eighty thousand Frenchmen, fled, and proceeded to London by way of Lynn and St. Edmunds.

Meanwhile the royal troops entered the city from every side, and, coming up with the Count of Perche defending himself gallantly in a churchyard, killed him, having first put his horse to death. Then the citizens, seized with panic, took to flight and perished in great numbers in the rivers. All the Barons were taken prisoners, one after another, and the city was given over to plunder, the victors even despoiling the churches, heedless of the divine favours bestowed on them. Many foot soldiers, also—Frenchmen especially—were seized here and there as they fled towards London and put to death by the peasants. Those who were taken became the prisoners of their captors; of these, all, except a few who delayed paying any penalty until peace was signed, ransomed themselves. Louis, when he heard what had happened to his men at Lincoln, burned his huts and gave up the siege (of Dover); then he came to London, and sent to France for reinforcements.

THE BATTLE OF SANDWICH (1217).

Source.—*Histoire des ducs de Normandie et des rois d'Angleterre*, pp. 200-202. (Société de l'Histoire de France.)

On S. Bartholomew's Day there set out from Calais my Lady Blanche's folk; and they went sailing towards the mouth of the Thames. Twenty-four ships had she begged, both great and small; of the ten great ones, all of which were fully manned, four were filled with knights, and six with sergeants; in the other smaller ships were the armour and the stores. Into Eustace the Monk's vessel entered Robert de Courtenay, and Eustace the Monk with him, and Raoul de la Tournelle, the good knight, who afterwards was killed in the service of God before the city of Toulouse, and William des Barres, the young son of William des Barres, the good knight and the well-disposed, and Neville de Canle, the son of the Bailiff of Arras, and other knights, so that their number was thirty-six in all. In the second of the ships filled with knights was Michus de Harnes, and in the third the Castellan of St. Omer; the fourth was that of the Mayor of Brittany, and into it many knights entered. The six ships for the sergeants were well manned and fit for battle. When they came nigh unto the Isle of Thanet, the Royalists who were assembled at Sandwich saw them, and entering straightway into eighteen great ships which they had ready, and several boats, came against them. Hubert de Burgh himself put out to sea, and Richard, the King's son, and several other knights; but the Earl of Warrenne did not embark; nevertheless, he kept watch over one ship of knights and men-at-arms, in which was his standard. The English so sailed as to attack the French rear. The ship wherein were the men of the Earl Marshal attacked firstly Eustace the Monk's ship, where was Robert de Courtenay, and very stoutly they fought. So fierce was the contest that four other ships came to aid the Earl's men; then was Eustace the Monk's vessel surrounded on all sides. Boldly the English assailed them, casting stones and lime, so that they blinded them all. So severely they at-

tacked that they took them by force. Then there was captured Robert de Courtenay, who was uncle of the Queen. . . . William des Barres was taken with him, and Raoul de la Tournelle, and Neville d'Arras, and all the knights who were in that vessel. Eustace the Monk had his head cut off by one of the sailors called Stephen Trabe, who had long held him in great hate. None of the other great ships were taken, for they saved themselves by flight; but many of the smaller vessels were destroyed and great slaughter made of them who were captured. What more need I say? Great discomfiture the French had; long were they chased by the English, who then retired to Sandwich with their booty, which was very great. The knights were thrown into deep prisons, and Eustace the Monk's head was fixed on a lance, and carried in procession to Canterbury and through the countryside. This battle took place on Thursday, S. Bartholomew's Day, and the news was brought to London on the Saturday, very late in the evening, to Louis, who was exceedingly wroth thereat, as was but natural.

WHY LOUIS WAS UNSUCCESSFUL IN ENGLAND.

Source.—*The Canon of Barnwell's Continuation of Hoveden*, p. 239. (Rolls Series.)

It was a miracle that the heir of the King of France, after having come to England with so great a number of armed men, and having obtained possession of so large a part of the kingdom, departed, or, I should rather say, was expelled, so speedily with all his men, and without hope of recovery. The reason is clear—that the hand of God was not with him, since he came in defiance of the prohibition of the Roman Church, and remained here under the ban of its anathema.

THE CHARTER OF THE FOREST (1217).

Source.—*Statutes of the Realm-Charters of Liberties*, pp. 20-21.

Henry, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou, to the archbishops, bishops, abbots, priors, earls,

barons, justiciars, foresters, sheriffs, reeves, officers, and all his bailiffs and loyal subjects, greeting.

Know that, looking to God and for the salvation of our soul, and the souls of our ancestors and successors, for the good of Holy Church, and the betterment of our kingdom, we have granted and by this our present charter confirmed . . . the under-mentioned liberties to be observed in our kingdom of England for ever:

(1) First, all the forests created by King Henry our grandfather are to be inspected by good and lawful men, and if he shall be found to have made into a forest any woods other than those of his own demesne, to the detriment of the owner thereof, they shall be disforested. And if he has made his own demesne into a forest, let it remain so, saving common of herbage¹ and other rights in such a forest to those accustomed to enjoy them.

(2) Men dwelling outside a forest shall not for the future appear before our forest justiciars on a common summons, except they be impleaded, or be pledges for someone attached for forest offences.

(3) All woods made into forest by King Richard our uncle or King John our father up to the day of our first coronation, are to be immediately disforested, except our demesne woods.

(4) Archbishops, bishops, abbots, priors, earls, barons, knights, and freeholders, who have woods in our forests shall hold them as they held them at the time of the first coronation of King Henry our grandfather, so that they shall be quit for ever of purprestures,² wastes, and assarts,³ made in these woods from that date up to the beginning of the second year after our coronation. And those who for the future shall make purprestures, wastes, and assarts, shall answer to us for them.

(5) Our reguardors shall perambulate the forests to make the reguard⁴ as they were accustomed to do in the time of the aforesaid King Henry our grandfather and not otherwise.

¹ Right of pasture.

² Encroachments.

³ Clearings made by cutting down trees.

⁴ "The chapters of the reguard" concerned all encroachments on the royal rights.

(6) An inquisition or view of the expeditation of dogs in the forests shall for the future take place at the same time as the regard—*i.e.*, every third year; and then the inquisition shall be made by view and testimony of lawful men and not otherwise. And he whose dog shall be found without the claws cut shall pay as a penalty three shillings; and for the future no oxen shall be taken as a fine. And the expeditation shall be such that three toes shall be removed from the forefeet without injuring the ball of the foot; nor shall dogs have their claws cut except in those places where it was customary at the time of the first coronation of King Henry our grandfather.

(7) No forester or bailiff shall for the future make a forced contribution, or seize any corn or hay, or lambs or pigs, or make any levy; and by the view and oath of the twelve regardors when they make the regard, a reasonable number of foresters shall be appointed to keep the forests.

(8) No swanimote shall be held for the future in our kingdom save three times in the year—viz., a fortnight before Michaelmas when the agistors meet to agist¹ our demesne woods; at Martinmas when our agistors receive our pannage; and to these two swanimotes shall come foresters, verderers,² and agistors, and no others by distrain; and the third swanimote shall be held a fortnight before the feast of S. John the Baptist, before the period of the fawning of the deer, and to that swanimote shall come foresters and verderers and no others by distrain. Further, the verderers and foresters shall meet every forty days throughout the whole year to review the forest attachments, both of venison and of vert,³ on the presentation of the foresters themselves and in the presence of those attached. And the aforesaid swanimotes shall not be held except in the accustomed counties.

(9) Every freeman may agist his own woods in the forest and have his own pannage.⁴ We grant further that every

¹ Admit cattle for a defined time into the woods.

² Officials who made preliminary inquiry into forest offences.

³ "Venison" covered the taking of game; "vert" destruction of woods, etc.

⁴ Payment made for the liberty of pasturing swine.

freeman may take his own swine through our demesne woods, freely and without hindrance, to agist them in his own woods or where else he will. And if the swine of any freeman remain one night in our forest, the freeman shall not be accused thereof to his detriment.

(10) No one for the future shall lose life or limb on account of our hunting, but if any one be arrested and convicted of the taking of venison he shall pay heavily therefor, if he have whence he may pay; if he have not whence he may pay, let him lie in our prison for a year and a day; and if after a year and a day he can find pledges, let him depart from prison; but if not, let him abjure the kingdom of England.

(11) Any archbishop, bishop, earl, or baron passing through our forest, may take one or two beasts, in presence of the forester, if he should be at hand; if not, let a horn be blown, lest he should seem to take the beasts by stealth.

(12) Every freeman for the future may freely make in his own woods or in any land he has in the forest, mills, places for live stock, ponds, limepits, ditches, or ploughland outside the covert on the arable land, provided it be not to the hurt of any neighbour.

(13) Every person may have in his woods eyries for hawks, sparrows, falcons, and eagles, and heronries; he may likewise have any honey he finds in his woods.

(14) Henceforth, no forester who is not a forester of fee¹ paying us a ferm for his office, shall take any cheminage² in his bailiwick; but a forester of fee paying us a ferm for his office may take cheminage as follows:—for every cart, two-pence per half year; for a horse bearing a burden, one half-penny per half year; and only from those such as merchants, who come from outside his bailiwick into his bailiwick by his licence to buy brushwood, timber, bark, or coal, and to take and sell these articles in another place; and from no other load shall any cheminage be taken; nor shall cheminage be taken except in accustomed and due places. Those who

¹ A forester who held his office on condition of feudal homage.

² Toll for liberty of passage through a forest.

carry on their backs brushwood, bark, or coal, to sell, although by this they make a living, shall pay no cheminage. Cheminage shall not be taken by our foresters save in our demesne woods.

(15) All outlaws for forest offences, from the time of King Henry our grandfather up to the time of our first coronation, may come freely into our peace, and find pledges that for the future they transgress not our forest laws.

(16) No castellan or any other shall hold forest pleas, whether of venison or of vert, but every forester of fee may attach forest pleas both of venison and of vert, and present them to the verderers of the district, and when they have been enrolled and enclosed under the seals of the verderers, they shall be presented to the chief forester when he comes into these parts to hold the pleas of the forest, and before him they shall be determined. . . .

Given at Saint Paul's, London, on the sixth day of November, in the second year of our reign.

•

CONCERNING A WRESTLING-MATCH AND DISTURBANCES IN THE CITY OF LONDON (1223).

Source.—*Annals of Dunstable*, pp. 78-79. (*Annales Monastici*. vol. iii.—Rolls Series.)

In the one thousand two hundred and twenty-third year after the Incarnation of Christ, there took place at London a wrestling-match between the household of the Abbot of Westminster and certain of the younger citizens of London; but their joy was turned to mourning. For though the household of the abbot had prevailed overnight, several being wounded on either side, on the following morning the Londoners chose to themselves a new Mayor, assembled armed mercenaries under the city standard, and having appointed a commander, set out against the church of Westminster. But some wise man's counsel turned them from this aim, and instead they attacked the houses belonging to the abbot's seneschal, alike within the city and without. And they

carried off his possessions—both animals and other chattels. Some days thereafter, while Philip Daubeny, one of the household of our lord the King, was residing in London, the Abbot of Westminster visited him bearing a complaint of the violence to which he had been subjected; and the Londoners, learning this, surrounded the house like bees, seized twelve horses belonging to the abbot, and having beaten his servants and ill-treated the knights who were in his company, attempted to take the abbot himself. But while Philip strove in vain to stay the tumult, the abbot secretly departed by the back of the house and entered a vessel on the Thames; while the boatman rowed it away from the bank, stones were cast after them by the citizens, but the abbot succeeded with difficulty in escaping. When the news of these great disturbances reached the ears of the Justiciar, he summoned the Mayor and chief men of the city, and inquired who were the principal ringleaders in the riot. After the inquiry Constantine Fitz-Athulf and two of his nephews, of noble birth, were hung, because, when accused, they answered with insolence. Thereafter the lord King, because the citizens murmured at this, took from them sixty hostages, whom he sent to be kept in custody in different castles; further, he deposed the Mayor of the city, and appointed in his stead his own keeper. He also ordered a great gibbet to be prepared; finally, the citizens, after severe reprimands from the King and frequent consultations with the Barons, were reconciled with the King, by paying a fine of many thousand marks.

THE COMING OF THE FRIARS (1224).

Source.—*Monumenta Franciscana*, vol i., pp. 5 *et seqq.*
(Rolls Series.)

In the year of our Lord 1224, in the time of the lord Pope Honorius, and in the same year in which the Rule of the Blessed Francis was confirmed by him, in the eighth year of the reign of King Henry, son of John, on the third day after the Feast of the Nativity of the Blessed Virgin, which fell that

year on a Sunday, the Minorite Brethren first landed in England at Dover; there were four clerks and five laymen. The following were the clerks:—First, Brother Agnellus of Pisa, a deacon of about thirty years old, who had been appointed by the Blessed Francis in the last general chapter, Provincial Minister in England. . . . The second was Brother Richard of Ingworth, an Englishman, a priest and preacher somewhat more advanced in years, who was the first to preach to the people beyond the mountains. . . . The third was Brother Richard of Devon, also an Englishman, a young acolyte, who left us divers examples of longsuffering and obedience. . . . The fourth was Brother William Ashby, a youthful Englishman, still a novice wearing the garb of probation.

The laymen were these:—First, Brother Henry of Ceruise, a Lombard, who, on account of his sanctity and great discretion, was made warden of London, and who, when his period of labour in England was completed, after the numbers of the brethren had been increased, returned to his own country. The second was Brother Laurence, from Beauvais, who was engaged at the beginning in uncompleted work, according to the injunctions of the Rule; afterwards he journeyed to the Blessed Francis, whom he was favoured to see frequently, and by whose conversation he was comforted; finally, the holy Father freely gave him his robe, and with a most pleasant benediction sent him back joyful to England. . . . The third was Brother W. of Florence, who returned to France, soon after the reception of the brethren (in England). The fourth was Melioratus; the fifth, Brother Jacobus Ultramontanus, still a novice in the garb of probation.

These nine, who had been brought across for charity to England and freely supplied with necessities by the monks of Fécamp, came to Canterbury and abode at the priory of the Holy Trinity for two days; then four of them, to wit, Brother Richard of Ingworth, Brother Richard of Devon, Brother Henry, and Brother Melioratus, proceeded to London. The five others went to the Hospital of Poor Priests, where they remained until they had prepared a place of residence

for themselves; soon after, a small room within the school was given to them, where they remained from day to day, shut up almost constantly. When the scholars returned home in the evening, the brethren entered the house where the scholars had been seated, made themselves a fire, and sat near it; sometimes, when they wished to drink, they placed on a fire a pot with the dregs of beer, and put a dish in the pot, and drank in turn, speaking each some words of pious instruction; and as he bears witness who shared in their real simplicity, and was a participator in their holy poverty, their drink was often so thick that, when the pots came to be heated, they poured in water, and so drank with pleasure. . . .

The four brethren, of whom I have spoken above, when they came to London, betook themselves to the Friars Preachers, by whom they were kindly received, and with whom they remained for two weeks, eating and drinking what was set before them, like intimate friends. Afterwards they hired a house in the village of Cornhill, where they constructed cells, stuffing the interstices between the cells with grass. They remained until the following summer in their early simplicity, without a chantry, because they had yet no privilege to erect altars and celebrate divine service in their house. Just before the Feast of All Saints, and before Brother Agnellus had come to London, Brother Richard of Ingworth and Brother Richard of Devon came to Oxford, and there also were most kindly received by the Preaching Brothers, in whose refectory they ate, and in whose dormitory they slept, for eight days. Afterwards they hired for themselves a house in the parish of S. Ebba, and there remained without a chantry until the following summer. There the Blessed Jesus sowed a grain of mustard-seed, which afterwards became the greatest among herbs. From that place Brother Richard of Ingworth and Brother Richard of Devon set out to Northampton, where they took up their abode in the hospital. And afterwards they hired for themselves a house in the parish of S. Egidius, where the first warden was Brother Peter of Spain, who wore an iron corselet next his body and

furnished many other examples of perfection. The first warden of Oxford was Brother William Ashby, hitherto a novice; he was now given the dress of the Order. The first warden of Cambridge was Brother Thomas of Spain; of Lincoln, Brother Henry Misericorde, a layman. The lord John Travers first received the brethren at Cornhill, and gave them a house; a certain layman from Lombardy was appointed warden, who first taught letters by night in the church of the Blessed Peter at Cornhill, and afterwards became Vicar of England, while Brother Agnellus went to the general chapter. In the vicarate he had as his associate Brother Richard of Ingworth; in the end, being unable to endure such heights of prosperity, and being weakened by so many honours, he became insane, and apostatised from the Order. It is worthy of note that in the second year of the administration of Brother Peter, fifth Minister of England, that is to say, in the thirty-second year after the arrival of the brethren in England, the number of brethren living in the province of England, in forty-nine places, amounted to MCCXLII.

THE RULE OF SAINT FRANCIS (1224).

Source.—*Monumenta Franciscana*, vol. ii., pp. 65 *et seqq.*
(Rolls Series.)

(The following extracts are from an English translation of the fifteenth century. The Rule itself was confirmed by Honorius III. in 1224.)

In the name of God: here begynneth the rewle and the lif of the bretherne minoris, the first chapter.

The rewle and lif of the bretherne mynorys is this, to obserue and kepe the holy gospels of our Lord Jhesu Christ in lyving in obedience, without propre,¹ and in chastite. Brother Fraunces promyseth obedience and reuerence to the lord Honory, Pope, and to his successours lafully entereng, and to the church of Rome; and alle other bretherne be bownde to obey vnto brother Fraunces and to his successours.

Property.

II. Of them that wille resceiue this lyf, and in what maner they may be resceyved:

Yf any that will resceiue this lyf comme to oure bretherne, let them send them to ther mynysters prouinciallis, vnto whom only, and to none other, licence ys grauntyd to resceyve bretherne. The mynysters dilygently shall examyn them of the Crystene feithe, and of the sacramentis of the church. The mynysters dilygently shall examyne, and yf they stedfastly beleve in them, and will trully and feithfully graunt and confesse them, and to the ende of ther lyf stedfastly kepe them: and yf they have no wifys: . . . let them say too them the wordis of the holy gospelle, that ys to say that they go and selle all ther goodis, and indever them self to distrybute them to poor people, the whiche if they may not doo yt suffisethe ther good wille. And the bretherne shalbe wel ware that they medle not nor enbesy them self with ther temporalle goodis or procuryng therof, that they may frely do ther with what so euer God putteth or enspireth in ther myndis. Nevertheles, if cownsele be desired and askyd of them therin, the mynisteris haue licence to send them vnto somme persones dredyng God, by whose counsele ther goodis may be distrybuted and givenne to poor people. Then, after this, they shall graunt to them the clothyng of probation, that ys to say ij cootis withoute a hode, a corde, a femoralle, a schaplet downe too the girdle. But yf yt be thowghte expedient too the seide mynisters godly otherwise to be done or dispensyd at summe tyme, the yere of probation fynysht and endid, they may resceyve them to obedience and profession. And in nowise yt may be lawfulle to them to forsake this religion, after and accordynge to the commaundement of the Pope, for, after the saying of the holy gospelle, no manne puttynge his hand too the plowghe and lokyng backwardis ys apte to¹ the kyngdome of hevyne. And they whiche arre professid and haue promysed obedience shalle haue oone cote with a hode, and a nother withoute a hode that wille have yt, and suche as haue nede or as ar constreynyd by necessitye

¹ Fit for.

may were shoone. And alle the bretherne must be clothid with symple and vyle clothinge. And they may pece them and amende them with pecis of sak clothe, or with other pecis, with the blissing of God. Whom I warn and exhorte that they dispise nor juge those men whiche they se clothid with delicate and softe clothynge, or with colowred and costly aray, use delicius metis and drynkis, but moche more rather eche of them shoulde juge and despise hymself.

III. How the bretherne shold behave them self when they goo by the weye:

. . . I cownsell also warne and exhorte my bretherne in oure Lorde Jhesu Criste that they bralle nat, nor strive in ther wordis or communication, nor that they juge norre deme¹ none other men; but that thei be meke, peasible, softe, gentle and curteis, and lowly, honestly spekyng and answeyng to euery manne as vntoo them accordith and belongith. And they shalnot ride, but yf they be constrayned by evident necessitee or ellis by sekeness. In to what house or place someuer they enter they shalle saye firste, "pece be vnto this howse." And, accordynge too the holy gospelle, they may ete of all maner of mettis whiche be sette before them.

IV. That the bretherne may not resceiue any coyne or money:

I commande stedfastly and straitly too all the bretherne that in no wise they resceiue any maner of coyne or money, nother by them self nor by none other meane person. Neuertheles for the necessite of the seke bretherne, and for the other bretherne to be clothid or nedyng clothinge, by goostly and spirituall frendis, the mynysters oonly and the custodies or wardens shalle haue diligent cure and charge accordyng to the placis, too the tymes or seasons, and to the colde cowntreis and regions; lyke as yt shall seme them expedient too ther necessite or nede. Savyng this alwaies that lyke as yt is before saide they may nat resceiue ony maner of coyne or money.

V. The maner how the bretherne shall use and occupie them self in bodily labour.

¹ Condemn.

The bretherne too whom God hath gyven grace and strengthe to labowr shall laboure truly and deuoutly, so and in suche wise that Idlenes, the enemy of the soule, excluded and put away, they quenche not the inward feruour and sprite of holy prayer and devoycoun whereunto alle transetory and temporalle thyngis oughte deserne¹ and geve place. As of the hier and availe for ther laboure, they may resceiue for them self and for ther bretherne, those thinggis that be necessary and nedefulle to ther bodies, except coyne or money. And that louly and mekely, as appartainith and belongith the saruauntis of God and the trewe folouaris of most parfyte and holy pouerte.

VI. Howe that the bretherne may not appropre to them any thinge in any maner of wyse :

The bretherne shall nothyng appropre to them, nother in howsing nor in londis, nor in rent nor in any maner of thyng, but lyke pilgrimis and strangers in this world, in pouerte and mekenes, saruyng Almyghty God. They shalle feithefully, boldly, and surely and mekely goo for almys. Nor they shalnot nor owghte not to be ashamed, for our Lord made hym self poor in this worlde.

PAPAL DEMANDS FOR PREBENDS (1226).

Source.—*Roger of Wendover*, vol. ii., pp. 466-468. (Bohn's Libraries.)

In the meantime the period fixed on for holding the council at Westminster at the Feast of S. Hilary was now come, at which the King, the clergy, and nobles of the kingdom were bound to appear to hear the Pope's message. Many Bishops, therefore, with others of the clergy and laity, assembled at the above place, and Master Otho, the messenger of our lord the Pope, of whom mention has been made before, read the Pope's letters in the hearing of them all. In these letters the Pope set forth a great scandal and old abuse of the Holy Church of Rome—namely, an accusation of avarice, which is said to be the root of all evil, and especially because no one could manage any business at the Court of Rome without a

¹ Yield.

lavish expenditure of money and large presents " But since the poverty of the Roman Church is the cause of this offence and evil name, it is the duty of all to alleviate the wants of their mother and father as natural sons; because unless we received presents from you and other good and honourable men, we should be in want of the necessities of life, which would be altogether inconsistent with the dignity of the Roman Church. In order, therefore, utterly to destroy this abuse, we, by the advice of our brethren the Cardinals of the Holy Roman Church, have provided certain terms, to which if you will agree, you may free your mother from insult, and obtain justice at the Court of Rome without the necessity of making presents. Our provided terms are these: In the first place, we require two prebends to be granted to us from all cathedral churches, one from the portion of the Bishop and another from the chapter; and from monasteries in the same way where there are different portions for the abbot and the convent; and from convents the share of one monk, on an equal distribution being made of their property, and the same from the abbot."

After making these proposals, Master Otho, on behalf of our lord the Pope, advised the prelates to consent, setting forth the above-mentioned advantages contained in the letters. The Bishops and prelates of the Church who were present in person then moved apart to consult on the matter, and after having deliberated on the proposals for some time, they deputed John, Archdeacon of Bedford, to give their answer, who went before Master Otho, and gave the following reply to his demands: " My lord, . . . since the King, on account of illness, and some of the Archbishops and Bishops and other prelates of the Church are absent, we cannot, and, in their absence, ought not to give you an answer; for if we were to presume so to do, it would be to the injury of all who are absent." After this, John Marshal and other messengers of the King were sent to all the prelates who held baronies in chief of the King, strictly forbidding them to engage their lay fee to the Church of Rome, by which he would be deprived of the service

which was due to himself. Master Otho, on hearing this, appointed a day in the middle of Lent for those who were then present to meet, when he would procure the presence of the King and the absent prelates, that the affair might be brought to a conclusion; they, however, would not agree to the afore-mentioned day, without the consent of the King and the others who were absent, and in this way all returned home.

THE KING ANNULS THE GRANTS MADE DURING HIS MINORITY (1227).

Source.—*Roger of Wendover*, vol. ii., pp. 485-486. (Bohn's Libraries.)

In the month of February in the same year the King assembled a council at Oxford, and before all present he declared himself of legitimate age to be released from wardship, and to take the chief management of the kingly duties. And thus the former pupil and ward of William Marshal during his life, and after his death of Peter, Bishop of Winchester, now, by the advice of Hubert de Burgh, Justiciary of England, freed himself from all counsel and restraint of the said Bishop and his friends, who had formerly been, as it were, his schoolmasters, and dismissed them all from his Court and from all connection with him. At the same council, too, the said King annulled and cancelled the Charters of the Liberties of the Forests in all the counties of England, after they had been in practice throughout the whole of England for two years; and as a reason for this he alleged that the Charters had been granted, and the liberties written and signed, whilst he was under the care of a guardian, and had no power over his own body or his seal, and therefore, as it had been an unreasonable usurpation, it could no longer stand good. On this, a great murmur rose amongst the council, and all decided that the Justiciary was the author of this trouble; for he afterwards became so intimate with the King that all the other councillors of the kingdom were thought nothing of. Orders were then given to the religious men and others, who wished

to enjoy their liberties, to renew their charters under the new seal of the King, as they knew that he held the old charters to be invalid; and for this renewal a tax was levied, not according to the means of each of them, but they were compelled to pay whatever the Justiciary determined on.

ARTICLES OF ACCUSATION AGAINST HUBERT DE BURGH (1232).

Source.—*State Trials*, vol. i., coll. 13-22.

Articles of accusation against Hubert de Burgh:

I. That his lord the King requires of him an account of all the revenue of the kingdom, for the fourteen years next following the death of King John his father, from which time he took upon him the keeping and management of the same, without any authority. . . .

II. Concerning the collection of the whole fifteenth, which, according to the Great Council of the whole kingdom, ought to have been kept and held in deposit, so that no part of it should have been taken until the arrival at age of our lord the King, unless under the inspection of six Bishops and six Earls specially appointed for the purpose; nor so but for the defence of the kingdom; the amount of which was about 89,000 marks of silver.

III. Concerning the territory in Poitou, of which King John died seised, and of which our lord the King that now is had seisin when the said Earl took upon him the custody of the realm; to wit, the territory of Rochelle, Niort, and St. John; who, when he ought, for the rescue of these territories, to have sent treasure and corn, sent barrells filled with stones and sand, so that when the Barons and great men of our lord the King, and the burgesses, perceived that default, they abandoned the homage and service of our lord the King, and turned themselves to the enemies of our lord the King, by means whereof our lord the King lost Poitou.

IV. That while our lord the King was under age, and it was necessary to succour Poitou, and the King's army should

have gone to Poitou, the Earl caused the Castle of Bedford to be besieged, where our lord the King and his great men of England expended a very large quantity of money before it was taken. . . .

V. That he had sent messengers to Rome, and before the lord the King was of full age had obtained that he should be of full age, as if this had been for the advantage of the lord the King, and by authority of this his age, had caused to be granted by charter to himself lands which had been of Henry de Essex, and many other lands, dignities, and franchises, of which, by his own authority, he took possession after the death of King John, and of which the said King John died seised, as he also caused to be given and confirmed to religious persons, ecclesiastics, and others, many lands and franchises and other things, to the lessening and great detriment of the dignity of the lord the King and his crown.

VI. That whereas the lord William, King of Scotland, formerly delivered to the lord King John his two daughters, the elder of whom was to be married to the lord the King, or to Earl Richard, if the lord the King should die; and for which marriage the same King William released King John all his right which he had in the lands of Cumberland, Westmoreland, and Northumberland; and, besides, gave to him 15,000 marks in silver; he (*i.e.*, Hubert de Burgh), before the lord the King was of such age as to be able to determine whether he would take her to wife or not, married her; so that, when the lord the King came of age, he was obliged to give the King of Scotland who now is, eight hundred oxgangs of land for the release of the lands aforesaid, because the first agreement had not been observed, and this notwithstanding he had before married the Countess of Gloucester, who had formerly been betrothed to the lord King John while he was Earl, and whom King John had committed to his custody, and whose marriage he had formerly sold to G. de Mandeville for 20,000 marks, whereby each of them was connected in a certain degree of consanguinity.

VII. Whereas the lord the Pope commanded that, on ac-

count of the said relationship, a divorce should be made between him and the Countess, his wife whom he now hath; he caused all the corn in the ear, belonging to the Romans, to be threshed out by those who were called Lewytheil. In consequence whereof, a general sentence of excommunication was passed against all those offenders, and those who favoured them; and this he did while he was Justiciar and bound to keep the peace, and so that by these means the peace continues disturbed to this time.

VIII. Whereas he had placed himself in the prison of the lord the King, and by the agreement made between them, he was to be taken to be an outlaw, if he should ever escape from that prison without the licence of the lord the King, he did escape from that prison, and . . . he was become an outlaw; and afterwards when the lord the King had received him into his favour, he would not accept any writ of the lord the King for the remission of that outlawry. . . .

IX. That he spake base and scandalous words of the lord the King in the presence of the lord Ralph, son of Nicholas, Godfrey de Cramcumbe, the brother of G., and others; and the lord the King still has many things to be proposed and alleged against him, which, for the perusal, he reserves in his mind to propose when it shall please him and occasion shall serve.

THE POITEVIN INVASION (1233).

Source.—*Roger of Wendover*, vol. ii., pp. 565-566. (Bohn's Libraries.)

A.D. 1233.—The seventeenth year of King Henry's reign he held his Court at Christmas at Worcester, where, by the advice of Peter, Bishop of Winchester, as was said, he dismissed all the native officers of the Court from their offices, and appointed foreigners from Poitou in their places. He also dismissed William de Rodune, a knight who carried on the duties of Richard the Grand Marshal at his Court. By the same person's advice the King also dismissed Walter, Bishop of Carlisle, from his office of Treasurer, and then took from him

a hundred pounds of silver, and also spitefully deprived him of some trusts, which he the King had by his own charter confirmed to him for life. All his former counsellors, Bishops and Earls, Barons and other nobles, he dismissed abruptly, and put confidence in no one except the aforesaid Bishop of Winchester and his son Peter de Rivaulx; after which he ejected all the castellans throughout all England, and placed the castles under the charge of the said Peter. The Bishop, then, in order to gain the King's favour more completely, associated with himself Stephen de Segrave, a yielding man, and Robert Passelewe, who kept the King's treasury under Peter de Rivaulx; and he entirely ruled the kingdom with the advice and assistance of those men. The King also invited men from Poitou and Brittany, who were poor and covetous after wealth, and about two thousand knights and soldiers came to him equipped with horses and arms, whom he engaged in his service, placing them in charge of the castles in the various parts of the kingdom; these men used their utmost endeavours to oppress the natural English subjects and nobles, calling them traitors, and accusing them of treachery to the King; and he, simple man that he was, believed their lies, and gave them the charge of all the counties and baronies, as also of all the youths of the nobility, both male and female, who were foully degraded by ignoble marriages. The King also entrusted them with the care of his treasury, with the enforcement of the laws of the country and the administration of justice. In short, judgment was entrusted to the unjust, laws to outlaws, the preservation of peace to the quarrelsome, and justice to those who were themselves full of injury, and when the nobles of the kingdom laid complaints before the King of the oppression they endured, the said Bishop interfered and there was no one to grant them justice. The said Peter, too, made accusations against some of the other Bishops of the kingdom, and advised the King to avoid them as open enemies.

THE PAPAL LEGATE AND THE CLERKS OF OXFORD

(1238).

Source.—*Matthew Paris, Chronica Majora*, vol. 1.,
pp. 126-129. (Bohn's Libraries,

At this time, the legate, having come to Oxford, and been received with the highest honour, as was due to him, was entertained in the house of the canons, which was at Oseney Abbey, where the scholar-clerks before breakfast-time sent him an honourable present, in the way of meat and drink, and after breakfast proceeded to his place of abode to pay their salutation to him, and to visit him out of respect. On their approach, however, a transalpine porter, with unbecoming and improper raillery, raising his voice after the manner of the Romans, and holding the door a little open, said: "What do you want?" To which the clerks replied: "We want his lordship the legate, that we may pay our respects to him;" for they confidently believed that they would receive honour for honour. The doorkeeper, however, with taunting speeches, saucily refused admittance to them all, with haughtiness and abuse; on seeing which, the clerks rushed forward with impetuosity, and forced their way in, whilst the Roman attendants, in their endeavours to keep them back, struck them with their fists and sticks. Whilst the contending parties were engaged in repeated blows and taunts, it happened that a poor Irish chaplain was standing at the door of the kitchen, and had earnestly besought for something to be given to him in God's name, after the custom of a poor and hungry man, when the master of the legate's cooks (who was also his brother, and whom he had placed at the head of that office, that no poison might be given to him, which he, the legate, greatly feared) heard him, but paid no heed to his request; and, becoming angry with the poor man, threw in his face some boiling water drawn from the caldron where fat meat was being cooked. At this injury to the poor man, one of the clerks, a native of the Welsh borders, cried out: "Shame on us to endure anything like this!" and drew a bow which he

carried (for, as the tumult had increased, some of the clerks had seized on whatever came to hand), and by an arrow discharged from it, himself pierced the body of the cook (whom the clerks satirically called "Nabuzardan," which means chief of the cooks). On the fall of the dead man a cry was raised, hearing which the legate was astounded, and, struck with fear, which can overtake the boldest man, he betook himself to the tower of the church, clad in his canonical hood, and secured the doors behind him. When the darkness of the night had put an end to the tumult, he put off his canonical dress, quickly mounted his best horse, and under the guidance of some persons who knew the most private fords, crossed the river at the nearest part to him, although with much danger, for the purpose of flying under the protection of the King's wings as soon as possible; for the clerks, carried away by rage, continued to seek for the legate in the most secret hiding-places, crying out: "Where is that simoniacal usurer, that plunderer of revenues, and thirster for money, who perverts the King, subverts the kingdom and enriches foreigners with spoil taken from us?" . . . Having crossed the river with much trouble (as above mentioned), and with only a few attendants, owing to the difficulty of the passage, the rest remaining concealed in the convent, the legate came to the King breathless, and in a state of alarm, and with sighs and tears interrupting his discourse, he explained to the King, as well as his attendants, the series of events which had happened, making a serious complaint in the matter. The King was astonished at his pitiable story, and sympathised much with him, and sent the Earl of Warrenne, with an armed troop to Oxford, with all haste, to rescue the Romans who were lying concealed there, and to arrest the scholars; amongst the latter, one Master Odo, a lawyer, was roughly seized, and, together with thirty others, was ignominiously consigned to close imprisonment in the Castle of Wallingford, near Oxford; whilst the legate, thus liberated from the broken snare, summoned some of the Bishops, laid Oxford under an interdict, and excommunicated all the abettors of this enormous offence.

The prisoners were then, at the instance of the legate, conveyed in carts, like robbers, to London, and were there committed to close confinement, after being deprived of their incomes, and bound by the anathema. . . .

At length it was suggested to the legate, by the Bishops and the whole of the clergy, that the dispute took its risk from his own dependants; but at the end of the dispute the clergy got the worst of it, for, by his orders, a great portion of them were committed to prison; the rest of them, in obedience to his orders, were ready humbly to make submission, at a place about three days' journey from Oxford; to these, on the petition of so many great men, his mind ought to be inclined to mercy. At length it was arranged that the legate would grant this mercy, on condition that all the scholars there assembled should proceed on foot, in company with the Bishops, also on foot, from St. Paul's Church, which was nearly a mile distant from the abode of the legate, until they reached the abode of the Bishop of Carlisle, and from thence should go, without hoods and cloaks, and barefooted, to the abode of the legate, where they would humbly ask pardon, which would be granted them, and they would become reconciled. This was done; and the legate, seeing this humiliation, received them again into his favour, restored the University to its municipal site, mercifully withdrew the interdict, with the sentence of excommunication, and granted them letters that, on this account, no stain of disgrace should at any time be thrown on them.

PAPAL EXACTIONS (1240-1244).

A. Source.—*Matthew of Westminster*, vol. ii., p. 196. (Bohn's Libraries.)

A.D. 1240.—And about the same time, a friend and relation of the lord the Pope came into England, the Master Peter Rubeus, who passed rapidly through England, and coming to Scotland, collected with great energy one-twentieth of everything in that country for the use of the Pope. About

the same time, Master Peter de Supion, being sent into Ireland diligently to collect the same twentieth in that country, carried off all he could from thence, like a genuine inquisitor of the Pope. And the booty which he collected is said to have amounted to the number of fifteen hundred marks and more. But the collection of Peter Rubeus, which he extorted from the Scotch territories, is supposed to have reached the double of that sum. And subsequently, returning through England, he looked into all the houses of the religious Orders with a new spirit, and exacted money for the use of the Pope with exceeding strictness, compelling them to swear that they would keep that oath as a secret of the confessional for half a year. By which conduct he turned aside the hearts of the faithful from any devotion and affection towards the Church of Rome, and wounded them with great anguish.

B. Source.—*Matthew of Westminster*, vol. ii., pp. 222-223.
(Bohn's Libraries.)

A.D. 1244.—About the same time, the Pope, relying too much on the King's simplicity and patience, sent into England a new extorter of money, not invested with the insignia of a legate, but fortified with unheard-of powers, by name Martin, who immediately betook himself to the usual abode of all the Papal legates, and nuncios, and secular clergy, that is to say, to the New Temple in London; and without delay displayed his power of receiving revenues, and extorting money in all kinds of ways, and practised it diligently, to the great distress of many hearts, and to the wounding of men's consciences. For he had the power of prohibiting all collation to benefices, until satisfaction should be made to him according to his wish. And, despising all scanty revenues as so many husks, he laid rapacious hands on all rich booty. He had also power of excommunicating, suspending, and punishing in various ways, and just as he pleased, all who resisted his will, though it might have been a mere hasty action; just as if on that very day he had, according to established custom, produced authentic Bulls, drawn up in the Papal chancery.

On which account it was said by some people, and not without reason, that he had brought over a great many papers sealed with a Bull,¹ but not filled up, for him to fill up himself as he pleased; but I would hope that this was not the case. Accordingly, the aforesaid Master Martin began to exact presents on all sides from the prelates in an imperious manner, such as desirable palfreys and precious vessels, and to extort them even by force (especially from those who belonged to any religious Orders) for his own use (for that man prays foolishly who forgets himself); and for the use of the Pope he extorted sums of money and prebends to which men had been already elected, using this odious additional form of words: "notwithstanding any privilege to the contrary," etc. And as a certain rich prebend at Salisbury was vacant, the aforesaid Master Martin, a diligent searcher out of such things, laid his greedy and hooked hands upon it, and without consulting, or, I may rather say, against the express wish of the Bishop of that See, he conferred it on a young man, a nephew of the lord the Pope. And in a similar manner the unwearied Master Martin, before-mentioned, conferred other benefices on the kinsmen of the Pope, of whom there was an astonishing number, not without causing great astonishment to many persons of experience. For many people believed, and because they believed, hoped that the Roman Court, having been so repeatedly chastised by God, would, in some degree, at least, check its accustomed avarice by the bridle of moderation.

THE ENGLISH IN FRANCE (1242).

Source.—*Matthew of Westminster*, vol. ii., pp. 206 *et seqq.*
(Bohn's Libraries.)

The same year a great sedition arose in Poitou, which subsequently produced great ruin, and a deadly quarrel, and war, and irreparable damage; for the Count de la Marche, at the instigation of Isabella, whom the French call the most

¹ Technically, the Bull was the leaden seal affixed to a Papal document.

impious Jezebel, being his own wife and the mother of the King of England, lifted up his heel against his lord the King of France . . . and he intimated to the King of England to come to Poitou, not with any great retinue of English, but armed only with a large sum of money, and that he would make over to him all his territories beyond the sea. The King, by the advice of the Poitevins, a race always ready for treachery, gave credence to his proposals, and agreed to them, and prepared for his passage, with much treasure, and in a single vessel, and could not be delayed by either the advice or entreaties of any of his friends or natural subjects. . . . When Earl Richard (the brother of King Henry) saw that there were no means of turning the King from his design, he agreed to cross the sea with him, and prepared in a magnificent manner for the passage. And encouraged by his example, many other nobles prepared to make the passage in company with the King and the aforesaid Earl. The guardianship of the kingdom, therefore, being entrusted to Walter, Archbishop of York, because he was considered a man of singular discretion and fidelity among all the nobles of the kingdom, the lord the King, accompanied by his Queen, and by his brother, Earl Richard, with seven other Earls, and about three hundred knights, embarked on board ship on the fifteenth of May and set sail, steering his course towards Bordeaux. . . .

About this time, the most pious and accomplished King of France, being moved by the spirit of mercy and peace, offered the lord the King of England excellent conditions of peace, because he was his kinsman, and because the Queen, his wife, was sister of the Queen of England. But the King of England, being led away by the false promises of the Count de la Marche, utterly refused them, asserting that he would never reject the advice of the said Count, whom, according to his usual custom, he called his father. And immediately, in a rash and hostile manner, he defied the King of France himself. Therefore the King of France repented of having thus humbled himself to the King of England, and unfolding the

oriflamme, he made a vigorous attack on all the territories which belonged to the Count de la Marche; and in a short time the war was so successful in his hand, that he had crushed his enemies and brought the war to a wished-for end; for he had already occupied the Castle of Frontignac, which appeared to the Poitevins to be impregnable, and in it he took prisoners the son of the Count de la Marche, and a hundred knights. After that, he took the castle called Movent. And after that, day by day, he took other castles and cities, and all their inhabitants, illustrious citizens and knights, voluntarily submitted to his power. At last he came to a city very rich in vineyards, which is called Taillebourg, and which rejoices in a river, which is called the Tarente; and while the King of France was there, the King of England came in close order of battle to the other side of the river, and the two armies were so near that they could see one another's flags and standards, and there the King of England was saved from the danger of a disorderly battle by the energy of Earl Richard. Accordingly, King Henry fled with prudence and good fortune, and came to Saintonges; but the King of France pursued him without delay, and a very fierce battle took place between the French and English, outside of the city, in which the French, though against their will, were forced to confess that the English gained the most honour.

But as the army of the King of France was increasing every day, like a lake which grows in consequence of torrents which pour into it, a sedition arose in the city, in consequence of which evil reports got abroad, and so the King of England fled disgracefully, and retreated with all expedition to Blaye, where for some days he was detained by illness. So when the Count de la Marche heard this, being stung with grief in his heart, he sent the Count of Brittany to the King of France, to be a mediator and an intercessor for peace. And so, though with great difficulty, he was admitted to peace by the King of France, on very severe conditions, being forced to abandon the King of England, after he had drained him of his treasures

and injured his honour. After these events, Reginald de Pontibus, and (following his example) William, surnamed the Archbishop, and the Viscount of Thouars, and many other nobles of Poitou, who nevertheless had craftily, or one might say treacherously, received all the money of the King of England that they could get, now flew to shelter themselves under the wing of the King of France. . . .

Meantime, the King of France, having taken counsel with his nobles, because he saw that his military enterprises all prospered in his hands, according to his wishes, proposed to pursue the King of England in a hostile manner, without losing any time, as far as Blaye, because he knew that the said King was now deserted by all the forces of the Poitevins, and deprived of all comfort, and descending rapidly to the abyss of despair; and from Blaye to Bordeaux, if he departed in that direction, and to continue the war with unwearied diligence till its termination. And lo! the Lord, pitying the King, the Lord who giveth salvation to Kings, when and how He wills, that Henry might not appear to have recommended himself in vain to the prayers of the men of the religious Orders on his retreat, threw the hearts of the French, who were giving way to absurd pride, into confusion, by permitting seeds of division and dissension to arise among them. . . . Besides, a great want of provisions, and especially of water, oppressed their army, which was numerous, in a miserable manner, so that as their want of all kinds of food grew greater, they became swoln, and wasted away with sickness, and being afflicted and exhausted with various miseries, expired. For their fellow-citizens of the province had closed up the mouths of the wells, and had polluted and poisoned the rivers and fountains, had ploughed up the meadows and pasture-lands, and, having driven away the cattle, had removed to a distance all their supplies and all their crops. Accordingly, when they drank the waters, both horses and men perished; and as the dog-days were just at hand, those who were sick lay down, and speedily died, being destitute of all comfort and rest, and having no attendance or medicine,

And in this way upwards of eighty nobles of the French army, who were entitled to bear standards, died, and of the infantry about twenty thousand. And as the King of France at the same time was very ill, great fear and despair seized upon the French, who said that the alms of the King of England had undone them. For they were greatly afraid that their own King, because he was tender and delicate, and indeed that they themselves, too, might be overwhelmed with sudden death; and the example of strong men who were overtaken by death increased their fear.

Therefore, as the fates were adverse to him, the King of France was compelled to beg a truce of five years from the King of England, being desirous to return with all speed into France, where he might be able to enjoy a better climate, and the truce was accordingly, and indeed joyfully, granted to him when he requested it. Having therefore received the homage of the nobles of Poitou, and having placed garrisons of his own natural and loyal subjects in their castles and cities, to command them, and keep them for him, the King returned to France; and being soon restored to perfect health, he commanded the men of Poitou, who had been surrendered on conditions of extremity, to be kept in close custody, and while there a condition was imposed on them that they should not give their daughters in marriage, nor go from one city to another, without leave of the French. Also the Count de la Marche, being accused and impeached of treason that same year before the King of France, was with difficulty saved from the infliction of an ignominious death. But he became a sort of prodigy in the eyes of all men; a sign that is to be pointed at and ruled, and hissed at by all men, because he had so wickedly betrayed the King of England, who rashly trusted in him. From that time forth, then, the prodigal anxiety of the King of England was released from its burdens, though before that time he was accustomed foolishly to distribute among the Poitevins seven thousand marks every year, for their shadow of homage and useless service.

HOW THE KING VEXED HIS LOYAL SUBJECTS (1248).

Source.—*Matthew Paris, Chronica Majora*, vol. ii., pp. 254-256. (Bohn's Libraries.)

About the beginning of the year, in the octaves of the Purification, the nobles of all England were convoked at London, to confer with the King on the affairs of the kingdom, which was now greatly disturbed, impoverished, and injured. . . . The King explained to them his purpose, which indeed was not a secret to the community in general, and asked pecuniary aid from them; whereupon he was severely rebuked and reproached, in that he was not ashamed to demand such assistance at that time, especially because on the last exaction of a similar kind, to which the nobles of England were with difficulty induced to give their consent, he gave his charter that he would not again make such an exaction. He was also most severely blamed (and no wonder) for the indiscreet way in which he summoned foreigners into the kingdom, and for lavishly and indiscreetly scattering the property of the kingdom amongst them, and also for marrying the nobles of the kingdom to ignoble foreigners, thus despising and putting aside his native and natural subjects; nor did he ask the consent of both parties, which is necessary to the completion of a marriage. He was also blamed, and not without reason, because he seized by force on whatever he used in the way of meat and drink—especially wine, and even clothes—against the will of those who sold these things, and were the true owners; wherefore the native dealers withdrew and hid themselves, as also did foreigners, who would otherwise bring their goods for sale to that country; thus a stop was put to trade, by which different nations are mutually enriched and strengthened, and thus we are defamed and impoverished, because they obtain nothing but lawsuits and anger from the King; and by this, he the said King incurs awful maledictions from numberless people to the peril and disgrace of himself and the whole kingdom. From these traders, moreover, he, in order that he may bestow alms indiscreetly, and may make

immoderate illuminations, forcibly seizes wax, silk stuffs, and other things, without making any terms of pacification; thus bringing scandal on himself, his kingdom, and all who inhabit it, and not without giving serious offence to God, who holds rapine in abhorrence when connected with an offering. In all these proceedings he tyrannises and oppresses to such a degree that even on the sea-coast he does not allow the herrings and other fish to be disposed of at the will of the poor fishermen, nor do they dare to appear in the places adjoining the sea-coast or in the cities, for fear of being robbed; so that they consider it safer to trust themselves to the stormy billows and to seek the further shore. The miserable traders also are so cruelly oppressed and annoyed by the royal agents, that punishment is added to loss, and injury is heaped upon injury, both as regards their own persons, and as regards their carriages and their already jaded horses. The King was, moreover, reprehended, in that he, contrary to the first and chief oath which he made at his coronation, impoverished even to their ruin the bishoprics and abbacies, as well as the vacant wardships founded by the noble and holy fathers, which he for a long time detains in his own hands, though he ought to be their protector and defender; and therefore they are said to be in his hands, that is, under his protection. Another complaint also was made against him by each and every one, and it was no slight one; and this was, that, unlike his noble predecessors, he never appointed either a Justiciary, a Chancellor, or Treasurer, in consonance with the advice of the kingdom in general, as was expedient, but only such persons as obeyed his pleasure in everything, provided that it was advantageous to himself, and such as did not seek the advancement of the common weal, but their own especial benefit, by collecting money and obtaining wardships and revenues for themselves.

A CHANGE OF RULER IN SCOTLAND (1249).

Source.—*John of Fordun's Chronicle of the Scottish Nation*, pp. 288-290. (*Historians of Scotland*, vol. iv.)

That renowned King of Scots, Alexander II., while he was on his way to restore peace to the land of Argyll, was overtaken by grievous sickness, and carried across to an island which is called Kerrera; and there, in the year 1249, after he had partaken of the sacraments of eternal salvation, his blissful soul was snatched away from this life, and joined, as we believe, all the saints in the heavens. . . . While he lived, he was a most gentle Prince towards his people, a father to the monks, the comforter of the needy, the helper of the fatherless, the pitiful hearer and most righteous judge of the widow and all who had a grievance, and towards the Church of Christ a second Peter. . . .

Alexander, son of the aforesaid King Alexander, a boy of eight years of age, came to Scone on the following Tuesday, the 13th of July, with a number of Earls, Barons, and knights. There were likewise present the venerable fathers, David of Bernham, Bishop of Saint Andrews, and Galfrid, Bishop of Dunkeld, a man in great favour with both clergy and people, zealous in temporal and spiritual things, who endeared himself to both great and poor, but was a terror to evil-doers. The Abbot of the monastery of Scone itself was also there. But lo! as soon as they were gathered together, there arose a dispute among the nobles. For some of them would have made not a King, but a knight, on that day, saying that it was an Egyptian day.* Now this was said not because of the Egyptian day, but because the lord Alan Dorward, then Justiciary of the whole of Scotland, wished to give Alexander with the sword of knighthood on that day. While they were arguing, the lord Walter Comyn, Earl of Menteith, a man of foresight and shrewdness in counsel, answered and said, that he had seen a King consecrated who was not yet a knight, and had many a time heard of Kings being consecrated who

* An unlucky day. Ill-luck was attributed to certain days of the year by Egyptian astrologers.

were not knights; and he went on to say that a country without a King was, beyond a doubt, like a ship amid the waves of the sea without rower or steersman. For he had always loved King Alexander, of pious memory, now deceased, and this boy also for his father's sake. So he moved that this boy be raised to the throne as quickly as possible, for it is always hurtful to put off what may be done at once; and by his advice, the said Bishops and Abbot, as well as the nobles, and the whole clergy and people, with one voice, gave their consent and assent to his being set up as King.

And it came to pass that when this same Earl, Walter Comyn, and all the clergy heard this, they joined unto them some Earls,—namely, the lord Malcolm, Earl of Fife, and the lord Malise, Earl of Strathearn—and a great many other nobles, and led Alexander, soon to be their King, up to the cross which stands in the graveyard, at the east end of the church. There they set him on the royal throne, which was decked with silk cloths inwoven with gold; and the Bishop of Saint Andrews, assisted by the rest, consecrated him King, as was meet. So the King sat down upon the royal throne—that is, the stone—while the Earls and other nobles, on bended knee, strewed their garments under his feet before the stone. Now, this stone is reverently kept in that same monastery for the consecration of the Kings of Albania;* and no King was ever wont to reign in Scotland, unless he had first, on receiving the name of King, sat upon this stone at Scone, which, by the Kings of old, had been appointed the capital of Albania.

THE MISDEEDS OF THE SENESCHAL OF GASCONY

(1253).

Source.—*Chronicon Thomæ Wykes*, pp. 104-106. (*Annales Monastici*, vol. iv.—Rolls Series.)

In the same year, about the Festival of the Assumption of the Blessed Mary (August 15), King Henry crossed into Gascony with a large army, having at the general desire en-

* Scotland north of the Forth, nominally united under Kenneth MacAlpin about 844 A.D.

trusted the guardianship of his whole kingdom of England to his brother Richard, Earl of Cornwall, and Walter de Gray, Archbishop of York. The cause of his journey was as follows: Certain of the chief men belonging to the Duchy of Gascony had come to the King in England with fierce complaints and denunciations against Simon de Montfort, Earl of Leicester, who had been Seneschal of Gascony, saying that he was intolerably oppressing the nobles and people of the said province by undue extortions, and had applied the revenues and proceeds which flowed into the royal treasury, not to the King's uses, but to his own. Henry, in great wrath thereat, dismissed the Earl from the administratorship of the Duchy; whereupon he, in revenge for his deposition, handed over to be held by capital enemies of the lord King three very famous and strongly-fortified castles, in which clearly lay the whole strength of the province, to wit, the castles of Fronsac, Renauges, and La Réole, with the neighbouring towns and boroughs, the city of Bordeaux alone preserving a lukewarm adherence to the King. The treacherous occupants of these castles oppressed the nobles and people more severely than ever, introduced a garrison to fortify their castles, and prepared to defend themselves by warlike means; nor would they allow any one appointed by the King to carry on the administration of the Duchy. Such being the state of affairs, the King, embarking at Portsmouth, committed himself to the deep, and, after a prosperous voyage, landed at Bordeaux; then, relying on the assistance of the people of the country and the soldiers whom he had brought with him, he laid siege to the castles so deceitfully occupied, assaulted them with engines of war, captured and held them; thereafter he quieted the whole province, appointing the lord Stephen Longsword, a man of great vigour, Seneschal of all Gascony. But the Earl of Leicester, though sorely offended, concealed the hatred which had filled him since the time of his dismissal, and awaited in the kingdom of France the opportunity of taking revenge on his deponents by some deep-laid scheme.

IRELAND GRANTED TO THE LORD EDWARD (1254).

Source.—*Historical and Municipal Documents (Ireland)*,
1172-1320, p. 135. (Rolls Series.)

The King to the archbishops, etc.

Know that we have granted, and by this our present charter confirmed, to our beloved son, Edward, the cities of Dublin and Limerick, with the counties and everything pertaining to them, and also the city and castle of Athlone, with everything pertaining to it, in Ireland; which cities we had retained for our own use in a former charter of ours, containing a gift of the land of Ireland, which we caused to be granted to the said Edward.

They are to be held and retained by the same Edward and his heirs, the Kings of England, for ever; so that the land of Ireland shall never be separated from the crown of England, and that none other save Edward himself and his heirs, the Kings of England, shall be able to claim or hold any right to the aforesaid land of Ireland. •

We wish, further, that the allegiance of the land remain to us for our lifetime, together with all the dues and wardships of cathedral churches and abbeys in Ireland, and likewise the right of election.

Wherefore we wish and firmly enjoin that the aforesaid Edward and his heirs, the Kings of England, do have and hold the whole land of Ireland for ever; provided that the land of Ireland be never separated from the crown of England, as aforesaid.

Given under our hand, at St. Mary Cray, on the twentieth day of July •

THE SICILIAN CROWN (1254-1257).

Source.—*Matthew Paris, Chronica Majora*, vol. iii., pp. 89, 137, 225. (Bohn's Libraries.)

(The Pope, acting through his emissary, Master Albert, had previously offered the Sicilian crown to Richard, brother of King Henry.)

A.D. 1254. About this time, Master Albert returned to the Court of Rome, bringing word to the Pope that he could in no way influence Earl Richard to accept the kingdom of Sicily and Apulia. . . . Then the Pope sent messengers privately to the King of England to work upon his simplicity, (knowing that he was always easy of belief and prone to his own loss), and offered to give him the kingdom of Sicily and Apulia, and to render him such assistance in getting possession of the same, as he could without doing any injury to himself. . . . The King, however, was so exhilarated at the Pope's empty promise, and his heart was so puffed up with empty joy, that his exultation showed itself in his voice, gesture, and laugh, and he openly called his son Edmund " King of Sicily," believing the possession of that kingdom to be an accomplished fact. The Pope's messenger whispered in his ear not to divulge this secret, lest it should come to the knowledge of his friends, who were aware of the wiles of the Roman Court, and that he might thus be put on his guard. The King then sent to the Pope all the money he could draw from his treasury or the exchequer, as well as whatever he could scrape from the Jews, or extort by means of his Circuit Justiciaries, for the purpose of making war against Conrad, and subjugating the Sicilians and Apulians. . . . The Pope, relying on the abundance of his wealth, was raised to a state of confidence; he took an immense army of mercenaries into his pay, entrusted it to the command of Cardinal Octavian, and lavishly distributed money among the soldiers, sending word to the King of England, when it failed him, that he wanted money. The latter, obeying the instincts of the devil and of avarice, wrote in reply to the Pope, and sent him promissory notes, sealed with the royal seal, authorising him to borrow money enough, and in abundance, from the Italian merchants, and recommended him not to be afraid of the quantity of money required or the high amount of interest, for that he would acquit him of all the debt, and bound himself so to do under penalty of disinherittance. The Pope agreed to all this and accepted his order. . . . A large host, therefore, flocked together, for

the sake of the Pope's pay, composed of low and ignoble Italians, idle and unwarlike creatures, devoid of good faith, who looked not to the advantage of the King of England or of the Pope, but were only bent on gorging the Pope's money, as the sequel of the affair showed to be the case. . . .

[In spite of the death of Conrad, King of Sicily, the Pope's army was cut to pieces, without having effected anything.]

A.D. 1255. After the Feast of S. Luke, a great number of nobles assembled together, having been summoned by royal warrant. For the Bishop of Romagna had come to the King in the Pope's name, in the stead of His Holiness, bringing with him a ring which he gave to the King's son Edmund, thus solemnly investing him with the kingdoms of Sicily and Apulia. The King's heart was now elated with pride and full of exultation, as though he had already received the homage of all the Sicilians and Apulians, as if he were already master of their cities and castles, and his son Edmund were already crowned King; in fact, he in public called his son Edmund, "King of Sicily." The aforesaid Bishop, as was believed, did not know that the Pope's expeditionary army was destroyed, that the King of England's money was entirely spent, and, moreover, that he was dreadfully burdened with debts; and if he did know, he cunningly concealed his knowledge of it, that he might not lose the presents prepared for him. The fact was indeed unknown to the King and the nobles, and the Bishop returned home, loaded with rich presents, before the real state of the case was known in England. . . .

A.D. 1257. At Mid-Lent of this same year, a great Parliament was held . . . and before the aforesaid Parliament broke up, the King brought his son Edmund, dressed in the Apulian fashion, before the assembly, . . . and he said that, by the advice and goodwill of the Pope and the English Church, he had, for the sake of obtaining the kingdom of Sicily, bound himself under penalty of losing his kingdom to the payment of a hundred and forty thousand marks, exclusive of interest, which daily increased, although without being apparent. Also that he had obtained, for five ensuing years, the tithes to be

levied from all the clergy in general, that is to say, from all their benefices, which were to be computed according to the new mode of taxation, without deducting any expenses save those which were incurred necessarily; also the profits of all ecclesiastical benefices vacated during the first year, and till the completion of the five years. This speech made the ears of all tingle, and struck fear to their hearts, especially as they knew that this tyranny took its rise from the Pope. Although they set forth excuses and asked for time to be allowed them, they could not obtain that favour, and were at length compelled to give a promise of relieving the King's pressing necessities, on the condition, however, that he would from that time forth observe inviolably the Great Charter, which he had so often promised to do, and which had been so often bought and rebought by them; and that he would refrain from injuring them and impoverishing them on so many specious pretexts. On these conditions they promised the King fifty-two thousand marks, though to the irreparable injury of the English Church; yet the King is said not to have accepted such a rich gift even as this.

THE EXPULSION OF THE POITEVINS (1258).

Source.—*Annals of Waverley*, pp. 349-350. (*Annales Monastici*, vol. ii.—Rolls Series.)

For some years England had been thronged with such a multitude of foreigners of different nations, on whom had been showered so many revenues, lands, estates, and other possessions, that they held the English in the greatest contempt, as inferior beings. It was said by some, who knew their secrets, that, if their power continued to increase, they would remove the nobles of England by poison, deprive King Henry of his kingdom, appoint in his place someone else at their own pleasure, and so in the end bring all England under their sway for ever. Further, the four brothers of the lord the King, Aylmer, Bishop-elect of Winchester, William, Earl of Valence, Guido, and Godfrey, raised as they were above the other aliens in dignities and riches, ragged

against the English in their intolerable arrogance, and loaded them with many insults and affronts; nor did anyone dare to oppose their presumptuous deeds for fear of the King. And they were not the only guilty ones, but—a yet greater matter for sorrow—Englishmen rose against Englishmen, majors against minors, all aflame with the lust of gain, and by means of pleas and amercements, talliages,* exactions, and divers other abuses, strove to take from each man what was his own. Old laws and customs were either broken through or utterly destroyed and brought to nought; every tyrant's will was a law unto himself, and except by a money payment could no man procure a right judgment. It is not within the power of anyone to recount all the evil doings which in those days took place in England. At length in this year the Earls and Barons, Archbishops and Bishops, and other nobles of England, as though aroused from sleep by a divine touch, seeing the miserable state of the kingdom, banded themselves together, and boldly assumed the strength and courage of a lion which fears the attack of no one. First of all, they expelled from England by force the aforementioned brothers of the King, together with many other aliens, and then began diligently to renew and amend the old laws and customs. And lest anyone should presume rashly to violate these customs in the future, they drew them up in the manner of a charter, sealed, by the King's permission, with his own royal seal.

THE KING CONSENTS TO THE ELECTION OF THE TWENTY-FOUR (1258).

Source.—*Rymer's Fœdera*, vol. i., p. 371.

The King to all, etc., greeting:—

Know that we have granted to the nobles and magnates of our kingdom, on oath administered to us by Robert de Walerand, that the state of the kingdom shall be rectified and reformed as shall seem best for the honour of God, our own

* Taxes to which the demesne lands of the crown and all royal towns were subject.

faith, and the general good of our realm, by twelve faithful men chosen from our council, and twelve chosen from the party of the Barons themselves, who shall meet at Oxford within one month after the coming Festival of Pentecost. And should, by any chance, any of those chosen from our party be absent, those who are present may substitute others in their place; similarly in the case of those absent from the party of the Barons. And we shall observe inviolably whatsoever shall be ordained by the twenty-four chosen from both sides and put under an oath for this special purpose, or by the greater part of them; and we wish and strictly enjoin that their decisions be observed inviolably by all. And we shall, without causing any hindrance, carry out and render effective whatever measures of security they, or the greater part of them, shall ordain for the observance of these provisions. We bear witness, further, that Edward, our eldest son, having taken an oath on his body, has granted by his letters that, so far as in him lies, he will faithfully and inviolably observe and cause to be for ever observed everything above set down and conceded. The aforesaid Earls and Barons also promised that, when the business above-mentioned has been completed, they will strive in all good faith to secure the granting to us of a general aid by the commonalty of the realm.

Given at Westminster on the second day of May.

THE PROVISIONS OF OXFORD (1258),

Source.—*Annals of Burton*, pp. 446-453. (*Annales Monastici*, vol. i.—Rolls Series.)

It is provided that in every county there be elected four discreet and lawful knights who shall meet, on the days when the county court is accustomed to be held, to hear all complaints of transgressions and injuries inflicted on anyone by sheriffs, bailiffs, or other officials, and to make attachments in connection with the said complaints up to the day of the arrival of the Chief Justiciar in the district; they shall always attach

sufficient pledges on behalf of the plaintiff about the defendant, and on behalf of the defendant about the plaintiff, to come and fulfil the law before the aforesaid Justiciar on his arrival. And the aforesaid four knights shall cause all the said complaints with their attachments to be enrolled, duly and in order, those from each hundred separately and by themselves, so that the aforementioned Justiciar may, on his arrival, hear and determine the above-mentioned complaints singly from every hundred. And they shall order the sheriff to cause all the bailiffs and hundredmen to be present before the Justiciar on his arrival on the day and at the place which he shall make known to them; and every hundredman shall cause to appear all the plaintiffs and defendants of his hundred, in order, according as the Justiciar decides to hear the pleas from that hundred; and with them, as many and such knights and other free and lawful men as may be best fitting in order to ascertain the truth, provided that all the men of a hundred be not disturbed at the same time, but only those come whose cases may be heard and determined on the one day.

It is further ordained that no knight of the aforesaid counties be excused from serving on juries and assizes on account of any royal charter of acquittance, or be released from observance of this provision made for the common good of the whole kingdom.

(Here follow the names of the twenty-four.)

The oath which the commonalty of England swore at Oxford;

We, so and so, make known to all men, that we have sworn on the Holy Gospels and by our oath have bound ourselves together, and we promise in good faith, each one of us and all together, to aid one another, both ourselves and those belonging to us against all men, doing right, and taking nothing that we cannot take without doing hurt, saving our faith to the King and to the crown. And we promise, by the same oath, that no one of us will take anything, either land or movables, by which this oath may be disturbed or in any way

impaired. And should any go against this, we will hold him a mortal enemy.

This is the oath of the four-and-twenty:

Each one swore on the Holy Gospels, that, looking to the honour of God, and the faith of the King, and the good of the realm, he would ordain and treat with the aforesaid sworn men regarding the reformation and the amendment of the state of the kingdom; and that neither for gift, nor promise, nor love, nor hate, nor fear of anyone, nor gain, nor loss, would he cease loyally to act according to the tenor of the letter, which the King and his son had granted for this purpose.

The oath which the Chief Justice of England swore:

He swears that he will perform well and lawfully, so far as lies in his power, whatever duties belong of right to the Chief Justice, toward all men, with a view to the profit of the King and kingdom, in accordance with the provision made and to be made by the twenty-and-four, and by the counsel of the King and nobles of the land, who will swear in these things to aid and support him.

The oath of the Chancellor of England:

That he will seal no writs, saving writs of course, except by command of the King and those of his council who shall be present; and that he will seal no gift of a great wardship, or of escheats, without the consent of the Great Council, or the majority thereof; and that he will seal nothing which is contrary to the provision made and to be made by the twenty-and-four or the greater part of them. And that he will take no fee greater than what is given to others; and he shall be given a companion in the form which the council shall provide.

The oath which the guardians of the castles took:

That they will keep the King's castles loyally and in good faith for the use of the King and his heirs; and that they will

give them up to the King and his heirs and to no other and according to his council and in no other manner, that is to say by honest men of the land elected to his council, or by the greater part thereof. And this form by writ lasts for twelve years. And thereafter there shall be no constraint in this ordinance or in this oath, to prevent them freely giving them up to the King or his heirs.

(Then follow the names of the King's council, of the twelve, and of the twenty-four.)

Concerning the state of Holy Church:

Be it remembered that the state of Holy Church shall be amended by the twenty-and-four chosen to reform the state of the kingdom of England, when they shall have time and opportunity, in accordance with the power granted them for this purpose by the letter of the King of England.

Concerning the Chief Justice:

Either one or two justices shall be appointed; what power they shall have is to be determined on; they shall hold office only for a year. And at the end of the year they shall answer for their term of office before the King and his council and their successors.

Concerning the Treasurer and the Escheator:

Similarly concerning the Treasurer. He shall render account at the end of the year. And other good men shall be placed at the exchequer as the twenty-four shall ordain. And there, and nowhere else, shall come all the revenues of the land; and what shall seem to them to require amendment shall be amended.

Concerning the Chancellor:

Similarly with regard to the Chancellor. He shall answer for his term of office at the end of the year; and he shall seal nothing out of course at the desire of the King alone, but at the command of the council which shall be around the King.

Concerning the power of the Justice and the bailiffs:

The Chief Justice has power to amend the wrongs done by all other justices and bailiffs, counts, barons, and all other men, according to the law and justice of the land. And writs shall be pleaded according to the law of the land and in the proper places. And the Justice shall take no presents except of beer, and wine, and such things, that is to say, meat and drink, such as have been accustomed to be brought to the tables of the chief men for the day. This shall be understood to apply also to all the councillors of the King and all his bailiffs. And no bailiff by occasion of any plea, or of his office, shall take any fee in his own hand, or by the hand of another, in any manner. If he be convicted, he shall be punished, and he that gives likewise; and if it be possible, let the King give so much to his justice and his servants that they have no need to take anything from anyone.

Concerning sheriffs:

There shall be appointed as sheriffs, loyal and honest men, who are landholders; so that in each county there shall be a vavasour* of the same county as sheriff, who shall treat the people of the county well, loyally, and rightly. And he shall take no fee, and shall not be sheriff for more than a year at a time; and he shall render his accounts to the exchequer, and answer for his term of office. And the King shall grant to him out of his own,† according to the amount of revenue he collects, sufficient to enable him to guard the county rightfully. And he shall take no fee, neither he nor his bailiffs. And if they be convicted, they shall be punished.

Be it remembered that such amendment is to be applied to the Jewry, and to the guardians of the Jewry, that the oath to them may be observed.

* A vassal, holding not immediately from the Sovereign, but from some great lord.

† The hereditary revenue of the crown, as distinct from taxation.

Concerning escheators:

Good escheators shall be appointed. And they shall touch none of the goods of the dead, of such lands as ought to be in the hand of the King. But if debts be due to the King, the escheators shall have free administration of the goods, until they have carried out the commands of the King. And this shall be done according to the form of the Charter of Liberty. They shall enquire concerning the wrongs that escheators have done in aforetime, and amends shall be made. And they shall make no talliage or other exaction except as provided by the Charter of Liberty.

The Charter of Liberty shall be firmly observed.

Concerning the Exchange of London:

Be it remembered to amend the Exchange of London, and the City of London, and all other cities of the King, which have suffered waste and destruction by talliages and other oppressions.

Concerning the place of reception of the King and Queen:

Be it remembered to amend the place of reception of the King and Queen.

Concerning the Parliaments, how many shall be held in each year, and in what manner:

Let it be remembered that the twenty-four have ordained that three Parliaments shall be held each year, the first a week after Michaelmas, the second on the day after Candlemas, and the third on the first day of June, that is to say, three weeks before Midsummer's Day. To these three Parliaments shall come the elected councillors of the King, even if they be not sent for to review the state of the land and to treat of the common needs of the kingdom and the King. And at other times, when need be, they shall meet on the command of the King.

Let it be remembered that the commonalty shall elect twelve honest men, who shall come to the Parliaments, and

at other needful times, when the King and his council shall send for them to treat of the needs of King and kingdom. And the commonalty shall treat as established whatsoever these twelve shall ordain, and this shall be done to avoid expense to the commonalty.

Fifteen shall be named as the King's council by the following four, to wit—the Earl Marshal, the Earl of Warwick, Hugh Bigot, and John Mansel, who are elected by the twenty-four to name the above-mentioned fifteen. And their appointment shall be confirmed by the twenty-four or the greater part of them. And they shall have power to advise the King in good faith concerning the government of the kingdom and all matters pertaining to King and kingdom; and to amend and put to rights all things which they shall see require redress and amendment. And they shall have control over the Chief Justice, and over all other men. And should they not all be able to be present, what the majority ordains shall be settled and established.

(Then follow the names of the principal castles of the King and of their custodians.)

HENRY REPUDIATES THE PROVISIONS OF OXFORD

(1261).

Source.—*Matthew of Westminster*, vol. ii., pp. 391-392.

(Bohn's Libraries.)

About the same time, in February, the lord the King of England, who, during his whole reign, had been considered extravagantly liberal towards foreigners, having now taken thought with himself secretly, that from being subjected to the provisions made by the Barons he had been, contrary to his customs, forced to stay his hand, was greatly grieved at being forced to adhere to their guardianship and arrangements, however useful they might be, and determined, with a resolute heart, to alter them. Therefore, having convoked his nobles, he said to them: "All of you laboured perseveringly on behalf of the general advantage and benefit (as you

asserted) of the King, and for the sake of increasing my treasures, and diminishing my debts; and you unanimously agreed to a promise which was to be observed upon oath, to the observance of which you also bound me and my son by a similar oath. But now I have experienced beyond a doubt that you are desirous not so much of the advantage of the King and of his kingdom as of your own, and that you are altogether receding from your arrangements, and that you have reduced me not as your lord, but as your servant under your authority. Moreover, my treasury is exhausted to an unusual degree; my debt increases in every direction, and the liberality and power of the King is almost overthrown and put down. On which account I desire you not to wonder if I do not walk any more by your counsel, but leave you to yourselves for the future, and allow myself to seek a remedy for the existing state of affairs."

And when he had said this, having sent ministers to Rome to procure absolution, the King wrote a special letter to the King of France, and to his son Edward, entreating them to furnish him with assistance. And the King of France promised him a large army, which he would support at his own expense for seven years, if it should be necessary; and Edward exerted himself, as it was said, in collecting forces of every description, endeavouring to release Henry, who was no longer a youth, but a veteran, from the confinement in which he was kept, and to make him master of his kingdom, as he had been used to be. In the meantime, the King, having neglected the statute made by his nobles, and being deceived by flattering counsels, entered the Tower of London, and having forced open the bolts, seized the treasure which was deposited there, and spent and dissipated it. Moreover, he hired workmen, and caused the Tower to be strengthened in every part, and he ordered the whole City of London to have its locks and barriers strengthened, and to be fortified all round. And having convoked all the citizens of twelve years old and upwards, he caused them all to swear to maintain their fidelity to him, the crier making proclamation that all

50 THE QUEEN INSULTED BY THE LONDONERS

who were willing to serve the King should come to receive pay from him. And when they heard this, the nobles flocked in from all quarters with their forces, encamping without the walls, since all entertainment within was entirely denied to them. And so a deadly war was expected on every side, which, indeed, had never been so near in past years.

THE QUEEN INSULTED BY THE LONDONERS (1263).

Source. — *William Rishanger's Chronicle*, p. 18. (Rolls Series).

Meanwhile, Edward, the King's son, arrived from across the seas, and garrisoned Windsor Castle with an armed band of aliens, whom he had brought with him a short time before. The King, however, fearing to be imprisoned in the Tower by the army of the Barons, agreed while there was yet time, through the mediation of timorous men, to the conditions of peace proposed by the Barons, and promised to observe the Provisions of Oxford. But the Queen, impelled by woman's malice, opposed the Barons as far as she could. Consequently, when she had embarked in a boat on the Thames for the purpose of proceeding by water to the castle at Windsor, a mob of townspeople gathered at the bridge under which she had to pass, loaded her with abuse and execrations, and, by throwing stones and mud, compelled her to return to the Tower.

THE BATTLE OF LARGS (1263).

Source.—*Andrew of Wyntoun's Orygynale Cronykil of Scotland*, book vii., ll. 3267-3306.

A thowsand twa hundyr sixty and thre
Yheris efftyr the Natyvyté,
Haco, Kyng than off Norway,
Come wyth hys ost and gret array
In Scotland on the West Se.
In Cwnyngame¹ at the Largis he

¹ Cunningham, one of the old districts of Ayrshire.

Arrywyd wyth a gret multitud
 Off schyppys wyth topcastellys gud.
 And thare be a tempest fell
 Off gret weddrys scharpe and snell
 Off fors thai behowyd to tak
 Land, and thame for battayle make:
 And offt syne¹, as thai mycht wyn
 Thare schyppys, thai wald enter in,
 And ordanyd thame wyth dilygens
 In thare schyppys to mak defens.
 The Kyng Alysandyre off Scotland
 Come on thame than wyth stalwart hand,
 And thame assaylyd rycht stowtly:
 Thai thame defendyd rycht manlyly.
 A Scottis sqwyare off gud fame,
 Perys off Curry cald be name.
 Amang the rapys² wes all to rent
 Off tha schyppys in a moment.
 And mony wes slayne that ilk tyde
 Off Scottis and Norways on ilke syde.
 Thare thai fechtand war sa fast,
 The Kyng off Norway at the last
 And hys men fer revyde³ sare,
 That evyre thai arrywyd thare:
 For off hys schyppys in the sé
 Ware mony drownyd; and thare menyhe
 Ware sa sted in gret peryle.
 The Kyng hym-self into that qwhyll
 Wytth hys nawyn⁴, that sawffyd was,
 Wychtly wan⁵ owt off the pres,
 And tuk the se hamwart the way,
 Thare trad⁶ haldand till Orknay.
 Thare than tuk land Haco thar Kyng,
 And in gret seknes mad endyng.

¹ Afterwards.² Ropes.³ Sorrowed.⁴ Ships.⁵ Cleverly won.⁶ Course.

THE MISE OF AMIENS (1264).

Source.—*Rymer's Fœdera*, vol. i., pp. 433-434.

(This document is drawn up in the name of Louis IX., King of France. After a recapitulation of the letters of appeal sent to him by the King and Barons of England, he continues):

The aforesaid King of England on the one side, and the above-mentioned Barons on the other, have appealed to us concerning all the disputes between them, . . . and have promised by an oath on the Holy Gospels that they will obey in all good faith whatever decision we decree and ordain regarding these disputes or some of them. . . . Therefore, having caused the said King in person, and certain of the Barons in person, and others by proxy, to appear before us, and having perceived that the provisions, ordinances, and statutes of Oxford, and the obligations resulting from them and brought about by them, have been of exceeding great hurt to the King's rights and honour, and have occasioned disturbances in the kingdom, depression and damage to the Church, and much loss to other persons—laymen and churchmen, natives and aliens—in the kingdom; believing, also, that even more serious results may reasonably be feared in the future; and bearing in mind, especially, that the lord Pope has already by his letters declared them null and void; in the name of the Father, the Son, and the Holy Ghost, by our royal command and ordinance we declare null and void the aforesaid provisions, ordinances, and statutes—by whatever name they may be called—and whatever obligations result from them, or are occasioned by them.

We declare further, that, by virtue of the said provisions, or obligations, or ordinances, or of any power conceded in connection with them by the King, no one is to make new statutes, or to hold to or observe those already made, and on account of non-observance of the aforesaid statutes no one shall be deemed, capitally or otherwise, the enemy of another, or shall undergo any punishment on this account.

We decree, also, that all letters resulting from the aforesaid provisions shall be null and void, and shall be restored to the King by the Barons.

In addition, we declare and ordain that all castles which were handed over as a pledge for the carrying out of the provisions, or because of them, shall be freely restored by the said Barons to the King, to be held by the King as he held them before the time of the aforesaid provisions.

Further, that the aforesaid King may, freely and of his own will, elect, dismiss, and remove from office, the Chief Justice, the Chancellor, the Treasurer, counsellors, lesser justices, sheriffs, and all other officials and servants of his kingdom and household, as he did and was allowed to do before the time of the aforesaid provisions.

Further, we cancel and annul the statute which provides that for the future the kingdom of England shall be governed by native-born men, and that aliens shall leave the country not to return, except those whose continued residence is approved by the commonalty: we ordain that aliens may freely dwell in the said kingdom; and that the King may freely call whomsoever he pleases, both aliens and natives, to his council, even as he could before the aforesaid time.

We declare and ordain, also, that the said King shall have full power to govern freely in his kingdom and its dependencies, and shall be in the state and in the enjoyment of plenary power, in and through everything, even as he was before the aforesaid time.

THE BATTLE OF LEWES (1264).

Source.—Continuation of *Matthew Paris* (attributed to William Rishanger), vol. iii., pp. 347-349. (Bohn's Libraries.)

Being then assured that a battle was imminent, the army of the Barons, before sunrise, left the village of Fletching [about six miles distant from Lewes], where a great portion of it had passed the night. Before starting on the expedition, Earl Simon conferred the honour of knighthood on Gilbert

Clare. When they reached a place scarcely two miles distant from the town of Lewes, Simon with his friends ascended an eminence, and placed his car thereon in the midst of the baggage and sumpter horses. There he displayed his standard, fastening it securely to the car, and surrounded it with a large number of his soldiers. He himself with his army took possession of the ground on both sides of this place, and awaited the issue of events. In another car he had shut up four citizens of London, who had conspired to betray him a short time before, when he was passing the night at Southwark. This he did by way of precaution. He then prudently arranged his forces, and ordered his soldiers to fasten white crosses on their breasts and backs, above their armour, that they might be known by their enemies, and to show that they were fighting for justice. Early in the morning of that day the army of the Barons surprised the King's followers, who had gone out to seek food and fodder for their horses, and put a great many of them to death.

The King, being informed of the approach of the Barons, soon set himself in motion with his army, and went forward to meet them with unfurled banners, preceded by the royal ensign, which bore on it a dragon, as if announcing itself the messenger of death. His army was divided into three bodies; the first division was under the command of his eldest son Edward, accompanied by William de Valence, Earl of Pembroke, and John de Warrenne, Earl of Surrey and Sussex. The second was commanded by the King of Germany and his son Henry; whilst King Henry himself commanded the third division. The army of the Barons was in four divisions; the first of which was under the command of Henry de Montfort and the Earl of Hereford; the second under Gilbert Clare, John Fitz John, and William de Monchesnil; the third, composed of Londoners, was commanded by Nicholas Segrave; and Earl Simon and Thomas Pelvedon led the fourth division. Edward with his division rushed on the enemy with such impetuosity that he forced them to retreat, many of them—report stated the number of knights to amount to sixty—

being drowned. The Londoners were soon put to flight, and Edward, who thirsted for their blood owing to the insult lately offered to his mother, pursued them for the distance of four miles, and made a dreadful slaughter of them; but, by his absence, he much weakened the King's forces. In the meantime, some of the chiefs of the King's army, seeing the Earl's standard on the hill, and thinking that the Earl himself was there, hastened thither suddenly and slew the citizens of London who were shut up in the car, not knowing that they were friendly to their cause. During all this time, however, the Earl and Gilbert Clare were by no means idle, but struck down and slew all who opposed them, directing their utmost endeavours to take the King alive; and great numbers of the King's adherents fell before them. John, Earl Warrenne, William de Valence, and Guy de Lusignan, all uterine brothers of the King, Hugh Bigod, and about three hundred armed knights, turned their backs and fled before the fierce attacks of the Barons. Richard, King of Germany, Robert Bruce, and John Comyn, who had brought a number of Scots with them, were made prisoners. King Henry, also, after having his horse killed under him, surrendered himself to Simon de Montfort, and was shortly afterwards placed in the priory under a guard. Many of the Barons of Scotland were slain on the spot on that day, and the foot-soldiers who had come with them were slaughtered in great numbers. There were, moreover, made prisoners, Humphrey de Bohun, Earl of Hereford; John Fitzallan, Earl of Arundel; William Bardolf, Robert Tateshull, Roger Somerey, Henry Percy, and Philip Basset. On the side of the King were slain the Justiciaries, William Wilton and Fulk FitzWarren, the one falling in battle, the other being drowned in the river. On the side of the Barons there fell Ralph Hornigande, a Baron, and William Blund, the Earl's standard-bearer. It was stated that the loss on both sides put together amounted to five thousand men.

Edward, on his companions in arms from the slaughter



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happened to his father, went round the outside of the town and reached the Castle of Lewes; but not finding his father there, he entered the priory, where he met with him and learned what had passed. The Barons, in the meantime, made an assault on the castle, but as the garrison made a vigorous defence, they withdrew; Edward, on hearing of the daring bravery of the garrison, was much inspirited, and, reassembling his troops, wished to try his fortune in another battle. The Barons, on learning his determination, sent persons to mediate for a peace, promising to come to some definite arrangement to that effect on the morrow. On the morrow, therefore, by the intervention of the Preacher and Minorite brethren, it was arranged that on the sixth day following, Edward and Henry should deliver themselves up to Earl Simon, in exchange for their fathers the Kings of England and Germany, in the hope of obtaining peace and tranquillity, on condition that due deliberation should be taken as to which of the statutes and provisions ought to be observed to benefit the kingdom, and which ought to be annulled, and that the spoil taken on both sides should be given up without any ransom. On the Saturday following the King gave permission to all who had joined his cause to return to their homes. . . . As for Edward, he was sent to the Castle of Wallingford for safety.

THE VIEWS OF THE KING AND OF THE BARONS CONCERNING THE GOVERNMENT OF ENGLAND (1264).

Source.—*The Song of Lewes.* (*Political Songs of England from the Reign of John to that of Edward II.*, Camden Society, 1839.)

We are touching the root of the perturbation of the kingdom of which we are speaking, and of the dissension of the parties who fought the said battle. The objects at which these two parties aimed were different. The King, with his, wished thus to be free; and so (it was urged on his side) he ought to be; and he must cease to be King, deprived of the rights of a King, unless he could do whatever he pleased. It

was no part of the duty of the magnates of the kingdom to determine whom he should prefer to his earldoms, or on whom he should confer the custody of castles, or whom he would have to administer justice to the people, and to be Chancellor and Treasurer of the kingdom. He would have everyone at his own will, and counsellors from whatever nation he chose, and all ministers at his own discretion; while the Barons of England are not to interfere with the King's actions, the command of the Prince having the force of law, and what he may dictate binding everybody at his pleasure. For every Earl also is thus his own master, giving to everyone of his own men both as much as he will, and to whom he will; and although he be a subject, the King permits it all. Which, if he do well, is profitable to the doer; if not, he must himself see to it; the King will not hinder him from injuring himself. Why is the Prince worse in condition, when the affairs of the Baron, the knight, and the freeman, are thus managed? Therefore they aim at making the King a slave, who wish to diminish his power, to take away his dignity of Prince; they wish by sedition to reduce captive into guardianship and subjection the royal power, and to disinherit the King, that he shall be unable to reign so fully as hitherto have done the Kings who preceded him, who were in no respect subjected to their people, but administered their own affairs at their will, and conferred what they had to confer according to their own pleasure. This is the King's argument, which has an appearance of fairness, and this is alleged in defence of the right of the kingdom.

Now let my pen turn to the other side:—let me describe the object at which the Barons aim. . . . The adversaries of the King are enemies who make war upon him, and counsellors who flatter the King, who seduce their Prince with deceitful words, and who lead him into error by their double tongues; these are adversaries worse than those who are perverse; it is these who pretend to be good whilst they are seducers, and procurers of their own advancement; they deceive the incautious, whom they render less on their guard

by means of things that please them, whereby they are not provided against, but are considered as prudent advisers. . . . And if such, by their conduct, should change the state of the kingdom; if they should banish justice to put injustice in its place; if they should call in strangers and trample upon the natives; and if they should subdue the kingdom to foreigners; if they should not care for the magnates and nobles of the land, and should place contemptible persons over them; and if they should overthrow and humiliate the great; if they should pervert and turn upside down the order of things; if they should leave the measures that are best to advance those that are worst;—do not those who act thus devastate the kingdom? . . .

A wise Prince will never reject his people, but an unwise one will disturb the kingdom. Wherefore, if a King is less wise than he ought to be, what advantage will the kingdom gain by his reign? Is he to seek by his own opinion on whom he should depend to have his failing supplied? If he alone choose, he will be easily deceived, who is not capable of knowing who will be useful. Therefore let the community of the kingdom advise; and let it be known what the generality thinks, to whom their own laws are best known. Nor are all those of the country so uninstructed as not to know better than strangers the customs of their own kingdom, which have been bequeathed from father to son. They who are ruled by the laws know these laws best; they who experience them are best acquainted with them; and since it is their own affairs which are at stake, they will take more care, and will act with an eye to their own peace. They who want experience can know little; they will profit little the kingdom who are not stedfast. Hence it may be deduced that it concerns the community to see what sort of men ought justly to be chosen for the unity of the kingdom; they who are willing and know how, and are able to profit it, such should be made the counsellors and coadjutors of the King; to whom are known the various customs of their country; who feel that they suffer themselves when the kingdom suffers; and who

guard the kingdom, lest, if hurt be done to the whole, the parts have reason to grieve while they suffer along with it; which rejoice, when it has cause to rejoice, if they love it. . . .

From all that has been said, it may appear evident that it becomes a King to see, together with his nobles, what things are convenient for the government of the kingdom, and what are expedient for the preservation of peace; and that the King have natives for his companions, not foreigners nor favourites for his counsellors or for the great nobles of the kingdom.

THE MISERIES OF CIVIL WAR (1264).

Source.—*Chronicon Thomæ Wykes*, pp. 157-159. (*Annales Monastici*, vol. iv.—Rolls Series.) •

But to return to the course of events in England, we must not pass over in a feigned silence the wickedness or madness of the inhabitants of the Cinque Ports, and the many hardships which they brought upon the English people. For they gathered together a large fleet of pirate vessels, with which they constantly scoured the seas, to prevent by force the bringing of provisions to England; all those whom they were able to capture on the seas, natives as well as foreigners, they cruelly slew, and, casting the bodies into the deep, put to their own use the ships and all they contained; they became crueller, in their destruction, than the whirlpool of Scylla or Charybdis, for they despoiled of all their goods and slew, without respect of persons, the merchants who were accustomed to bring us stores. Wherefore the supply of food-stuffs, which generally had been more plentiful in England than in all other regions, so diminished, that wine, previously sold at forty shillings, easily fetched ten marks; and wax, which generally did not exceed forty shillings, was worth eight marks and more; and a pound of pepper, formerly scarcely worth sixpence, was sold for three shillings. To be brief, there was such a scarcity of salt, iron, steel, cloth, and all manner of goods, that the people suffered terribly from want, and even divers merchants were forced to beg, for the

people could not send their goods out of the kingdom; wherefore, had not Divine Providence come quickly to succour the country in its misery, the supply of money would have failed, as well as that of goods. And the Earl—*i.e.*, Simon de Montfort—wishing to soothe the popular ear by foolish fancies, announced and caused it to be proclaimed abroad that the inhabitants could easily be provided for out of the produce of the country itself, without bringing in provisions from abroad—an idea which is clearly absurd: for, indeed, the interchange of goods between two countries brings divers benefits to each in turn; nevertheless, some, wishing to please the Earl, wore garments of white cloth, refusing to put on coloured ones, lest they should be seeming to seek for necessaries from abroad.

The lord Henry de Montfort, too, eldest son of the Earl of Leicester, to fill up the cup of his greed, greatly tarnished his honour as a soldier by seizing and applying to his own purposes all the wool of the kingdom, which the merchants, not only of Flanders, but of England and other parts, had brought down to the harbours to ship each to his own country; for which dishonourable act, instead of a good soldier, he was known, for a byword, as “the woolcarder.” By these and other distresses the kingdom of England was so weakened that, wounded by irreparable losses, it became a most miserable instead of a flourishing country, and, in the words of the Prophet, we were “a reproach to our neighbours, a scorn and a derision to them that are round about us.”

SIMON DE MONTFORT'S SCHEME OF GOVERNMENT

(1264).

Source.—*Rymer's Fœdera*, vol. i., p. 443.

For the amendment of the state of the kingdom of England there shall be elected and nominated three discreet and faithful men of the realm, who shall receive authority and power from the lord King to elect or nominate, in the King's place, nine counsellors. Of these, three at least, in turn, shall always be present at the Court; and the lord King, by advice

of the aforesaid nine, shall ordain and dispose of the wardenship of castles and all other business of the kingdom. The lord King, also, acting on the advice of the same nine, shall appoint the Justiciar, Chancellor, Treasurer, and other greater and lesser officials who have to do with any matters pertaining to the government of Court and kingdom. The first electors or nominators shall swear that, obeying the dictates of conscience, they will elect or nominate counsellors whom they believe to be useful and faithful to the honour of God and the Church, and to the lord King and kingdom. Further, the counsellors and all officials, greater and lesser, shall swear on appointment that they will faithfully carry out their duties, so far as they can, to the honour of God and the Church, and the good of the lord King and kingdom, taking no gifts, except the meat and drink commonly presented for the table. But if the aforesaid counsellors, or any one of them, in carrying out the duties entrusted to them, shall be found guilty of malversation, or for any other cause shall require to be changed, the lord King, by the advice of the first three electors or nominators, shall dismiss those requiring dismissal, and in their place, by advice of the same three, appoint and substitute other faithful and suitable men. If the greater or lesser officials shall be found guilty of malversation in their offices, the lord King, on the advice of the aforesaid nine, shall remove them, and by the same advice substitute others without delay. If the first three electors or nominators, in the election or nomination of counsellors, or the counsellors in the appointment of officials, or in carrying out or accomplishing other business pertaining to the King or kingdom, shall disagree, whatever is determined on or ordained by two-thirds shall be firmly observed; provided that among these two-thirds shall be a prelate of the Church in all ecclesiastical matters. And if it should happen that two-thirds of the aforesaid nine do not agree about any matter, the dispute shall be referred to the determination of the first three electors or nominators, or the greater part thereof. And should it seem fitting to the general body of prelates and Barons to-

gether that some person or persons should be appointed in the place of, or be substituted for any of the first three nominators, the lord King, on the advice of the general body of prelates and Barons, shall do so. The lord King (or the counsellors themselves, in place of, and by authority of the King), shall carry out all the aforesaid matters by advice of the nine in the form above described; the present ordinance being intended to hold good until the provisions of the Mise drawn up at Lewes, and afterwards signed by both sides, be jointly carried out, or other provisions approved of by both parties be substituted.

Given in Parliament at London, in the month of June, 1264.

THE EVESHAM CAMPAIGN (1265).

Source.—Continuation of *Matthew Paris* (attributed to William Rishanger), vol. iii, pp. 353-354. (Bohn's Libraries.)

About this time the King's son Edward, who was detained in custody in the Castle of Hereford, obtained permission from his guards to take exercise in a field outside the city, and to amuse himself with trying the speed of their horses. On one occasion, after trying several horses and tiring them out, he at length chose a good one, which he mounted, and, urging him to speed with his spurs, he bade farewell to his guards, and, crossing the River Wye, he directed his course, accompanied by two knights and four esquires who were aware of his design, to the Castle of Wigmore. His guards gave pursuit to him, but seeing the banners of Roger Mortimer and Roger de Clifford, who were come to assist Edward in his escape, they were out-manceuvred, and so returned to Hereford. These occurrences took place on the eve of the Trinity, and were arranged with the counsel and assistance of the aforesaid knights. Thus released from his imprisonment, Edward assembled a large army, as numbers flocked to join him, and the counties of Hereford, Worcester, Salop, and Chester entered into an alliance with him, the towns and villages, cities and castles pouring forth their inhabitants to join his

standard. He at once besieged and took the city of Gloucester, of which the Earl had lately gained possession, the garrison left therein taking flight to the castle; but after fifteen days they surrendered the castle also, and on giving their oath not to bear arms against Edward for the future, they were allowed to depart at liberty. The Earl of Leicester in the meantime attacked the Castle of Monmouth, which the Earl of Gloucester had lately taken and fortified, and having compelled the garrison to surrender, rased the castle to the ground. He then entered Glamorganshire, the territory of the said Earl of Gloucester, and being met by the Prince of Wales with assistance, the two chiefs together ravaged the whole country with fire and sword. Edward in the meantime, hearing that many of the partisans of Earl Simon had flocked together to the Castle of Kenilworth, joined his forces with those of the Earl of Gloucester, and, setting forth from Worcester in the evening, reached that place by forced marches. Coming on the place suddenly, he made prisoner of the Earl of Oxford, and about thirteen knights bannerets, before they could enter the castle, in which Simon, the son of Earl Simon, had already shut himself up. Simon, Earl of Leicester, always keeping the King in his company, returned from the south of Wales, and on the Festival of S. Peter ad Vincula, arrived at Kempsey, a manor of the Bishop of Worcester, and stayed there on the day following. Edward then returned from Kenilworth to Worcester, which is only three miles distant from the above-named manor; and Simon, on hearing of his arrival there, went away with the King at nightfall, and took up his quarters in the town of Evesham, where he awaited his unhappy destiny. For, on the morrow, which was the day of the finding of S. Stephen, Edward moved from Worcester, crossed the river near the town of Claines, and cut off the approach of the Earl to his son, who was in the Castle of Kenilworth, and prevented all chance of the father and son meeting. On the following day he drew near the town of Evesham on one side, and the Earl of Gloucester and Roger Mortimer came up with their respective forces

in two other directions; thus the Earl of Leicester was hemmed in on all sides, and was under the necessity either of voluntarily surrendering or of giving them battle. On the fifth of August, which fell on the third day of the week, both armies met in a large plain outside the town, where a most severe conflict ensued, till the partisans of the Earl began to give way, and, the whole weight of the battle falling on him, he was slain on the field of battle. At the time of his death a storm of thunder and lightning occurred, and darkness prevailed to such an extent that all were struck with amazement. Besides the Earl, there fell in that battle twelve knights bannerets . . . and a great number of others of inferior rank, such as esquires and foot-soldiers, the greatest loss being among the Welsh.

CHARACTER OF SIMON DE MONTFORT.

Source.—Continuation of *Matthew Paris* (attributed to William Rishanger), vol. iii., p. 355. (Bohn's Libraries.)

Thus ended the labours of that noble man Earl Simon, who gave up not only his property, but also his person, to defend the poor from oppression, and for the maintenance of justice and the rights of the kingdom. He was distinguished for his learning; to him an assiduous attention to divine duties was a pleasure; he was moderate and frugal; and it was a usual practice of his to watch by night, in preference to sleeping. He was bold in speech and of a severe aspect. He put great confidence in the prayers of religious men, and always paid great respect to ecclesiastics. He endeavoured to adhere to the counsels of S. Robert, surnamed Grosseteste, Bishop of Lincoln, and entrusted his children to him to be brought up when very young. On that prelate's counsel he relied when arranging matters of difficulty, when attempting dubious enterprises, and in finishing what he had begun, especially in those matters by which he hoped to increase his merits. It was reported that the same Bishop had enjoined on him, in order to obtain remission of his sins, to take up this cause, for which he fought even to the death, declaring that the

peace of the Church of England could not be firmly established except by the sword, and positively assuring him that all who died for it would be crowned with martyrdom. Some persons, moreover, stated that on one occasion the Bishop placed his hand on the head of the Earl's eldest son, and said to him: "My well-beloved child, both thou and thy father shall die on one day, and by one kind of death; but it will be in the cause of justice and truth." Report goes that Simon, after his death, was distinguished by the working of many miracles, which, however, were not made publicly known, for fear of Kings.

THE DISINHERITED IN THE ISLE OF ELY (1266-1267).

Source.—*Chronicon Thomæ Wykes*, pp. 192-193, 204, 207-210.
(*Annales Monastici*, vol. iv.—Rolls Series.)

A.D. 1266.—About Michaelmas, a great body of the disinherited, forming a strong confederation, gathered together secretly, and took possession, more by guile than by force, and with the connivance of the inhabitants, of a marshy district, surrounded by lakes and rivers, and girded in by impassable marshes, commonly called the Isle of Ely. This place, after they had effected their entrance—and the islanders were unable to resist such a host of invaders—they immediately stored with arms and provisions, and built defences which so cunningly closed up the entrances and exits that no one could approach without their consent; while they themselves were accustomed to cross to the neighbouring counties, and there, accompanied by the great band of robbers whom they had collected, they seized and carried off to the aforesaid island, by deeds of evil daring, and without respect of persons or places, for their own sustenance and that of their dependants, whatever food or furnishings they could find in Norfolk, Suffolk, Cambridge, or in any of the districts round about; and in that island they abode safely without being disturbed all winter. . . .

A.D. 1267.—Since the King with his nobles was engaged, as
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we have said, in the siege of London, the nobles on the island, perceiving that the administration of the law was lax, and being therefore controlled by no fear of restraint or armed resistance, but rejoicing in the licence thus permitted them, harassed the neighbouring district by frequent marauding expeditions, conducted with the usual cruelty. . . .

But now, the lord Edward, his heart full of the desolation of the Island of Ely, decided that he must use guile as well as force to reduce by warlike means its treacherous occupants. (For, against such dastardly robbers as these, to employ cunning must not be considered a sin, but rather a virtue, since in dealing with enemies of the State victory is a consideration paramount to good faith.) Therefore, striving with noble zeal to put a stop, in the interest of the whole realm, to the fierce attacks of this great host, Edward cunningly entered into a secret compact with the lord Nicholas de Segrave, the warden to whom had been entrusted the guardianship of the defences or fortifications by which assailants were easily kept back from the approach to the island, his aim being to prevent any check from that direction to the plans which he had conceived and was endeavouring to carry into effect; and when this bargain had been firmly and faithfully sealed, he entered the monastery of Ramsey, near to the marshes, with a large band of men, and brought the people of the district over to his side by promises and bribes, enjoining them not to fear the danger of death should they be compelled by fate or ill-fortune (which might Heaven forbid!) to die with him; then the country people, who had come, by frequent examination, to know the most secret places of that wide extent of marsh land, sailing or walking over it constantly as they did, fashioned hidden paths through places formerly impassable, making bridges by means of bundles of reeds wrought together; and the bounty of Nature supplied the defects of their skill. By this means a body both of foot-soldiers and horsemen crossed almost as on dry land. Two hot summers in succession added to the success of this artifice, by causing places, formerly so

swampy as to offer no sure foothold, to be quite dried up by the heat, so that it truly might be said, "Here is the finger of God." Thus the soldiers were enabled, by traversing the paths pointed out to them by the country people, whose fears vanished under the leadership of so famous a general, and by the connivance of the lord aforesaid, who held to his compact, to cross the fortifications and defences without resistance, and, without the knowledge of the islanders, to halt on solid ground within the bounds of the island, separated from their enemies only by a small stream; this, too, they were able to cross without any difficulty by filling it up with bundles of reeds, of which they had a plentiful supply, to the terror and stupefaction of the other inhabitants, who now observed them. Astounded by the sudden, unexpected arrival of so many strangers, the islanders were slow to make defence or resistance; but lest they should seem to be entirely inactive, they sent forward to the river a number of cross-bowmen and archers, who, by clearing a passage with their arrows, or even by a slow retreat, might grant the nobles time to gird on their armour, assume their weapons, and bear down on these unexpected adversaries; but the plan failed, for the lord Edward, fearing that his bold device might come to nought through weakness in defence, ordered his cross-bowmen and archers to engage the enemy's archers from the other side of the stream; and when his army, having almost completed its passageway, was courageously commencing to attack the enemy, whom he saw near at hand ready to fight, the lord Edward publicly proclaimed that if anyone attacked any of his men or by any act of rebellion hindered him in carrying out his enterprise, such an one would suffer death by hanging or execution, should success—and of that there was no doubt—crown his efforts. On this, the fierce courage of the islanders weakened and gave way, and all, struck by sudden fear, laying aside their haughty fierceness, with bowed heads meekly surrendered, and—though they had refused to hear of it previously—submitted themselves to the ever-gracious clemency of the Prince.

Then Edward, granting them a simulated pardon, which, indeed, not to pass over it in silence, they had deserved, allowed a truce of barely two days in which, sacrilegiously gathering together their spoil, they should vacate the surrendered city and island. They departed, all alike in confusion and disgrace, to the no small joy of the provincials, who were now restored to their possessions and rejoiced in their ancient liberty. But the victorious army, in triumphal procession, with trumpets sounding joyfully, entered the city, while all the citizens, together with the few remaining monks, gave thanks to the King of Kings, who, pitying the distress of the city and province, had destroyed that evil horde of wicked men, and, striking from their necks the insupportable yoke of slavery, had restored their liberty under the protection of their future Prince.

EDWARD IN THE EAST (1270-1272).

A. Source.—Continuation of *Mathew Paris* (attributed to William Rishanger), vol. iii., pp. 375 *et seqq.* (Bohn's Libraries.)

A.D. 1270.—In the month of May in this year, the King's son Edward set out on his pilgrimage to the Holy Land, taking with him his wife Eleanor, and accompanied by his brother-in-law Edmund, by four Earls, the same number of Barons, and many other nobles. . . . Edward then arrived in France with his fleet, but, learning that the King of France had started for the Holy Land, he followed him by sea, and after a voyage of ten days, arrived safely at Tunis, and landed with all his companions and followers. There he was met by the King of France and his nobles, who received him joyfully, and admitted him to the kiss of peace. In the month of August the sickness which raged about the sea-coast did great havoc in the army of the Christians. At Tunis, amongst the chiefs of the army, in the first place, there died John, Count of Nevers, the son of the French King, and the Cardinal Albano, legate of the Apostolic See. Soon afterwards, on the day after the Feast of S. Bartholomew the Apostle,

St. Louis, the most Christian King of the French, passed from a temporal kingdom to an eternal one. . . . He was succeeded in his kingdom by his son Philip. At the time when the army was in a state of desolation, in consequence of the King's death, Charles, King of Sicily, arrived, who had been sent for by the King before his death. Although the Saracens were evidently much more numerous than the Christians, they never dared to attack the Christians in the open field, but caused them much annoyance and inconvenience by their stratagems. Amongst their devices, one was as follows. The country being sandy, and very dusty in the dry seasons, the Saracens placed several thousands of their people on an eminence in the neighbourhood of the Christians, and when the wind was blowing in the direction of the latter, they stirred up the sand and dust, which caused great annoyance to the Christians. But at length rain, coming on, laid the dust, and the Christians got ready their different engines of war, and made preparations for attacking Tunis by land and sea. The Saracens, on seeing this, entered into a treaty with them, and agreed to set at liberty all the Christians who were captives in that country. They also allowed the faith of Christ to be preached freely by the Preacher and Minorite brethren, and by all others soever, in all the monasteries founded in honour of Christ in the cities of that kingdom; also that all who chose to be baptized should be at liberty to be so. The expenses of the two Kings then having been paid, and the King of Tunis having acknowledged himself tributary to the King of Sicily, a truce for several years was arranged, and the King of Sicily prepared to re-embark with his army. But the Divine vengeance followed him, and, as he was endeavouring to return, the sea engulfed almost his whole army, the treasure he had taken from Tunis, and all his movable property. . . . When Edward heard of the terrible vengeance which the Lord had inflicted on Charles, King of Sicily, the brother of Louis, the late King of France, and when he considered that this disaster had happened not without a cause, he struck his breast and cried, swearing by God's

blood, his usual oath: "Although all my companions in arms and countrymen should desert me, yet I, with Fowin, my palfrey-keeper" (for such was his name) "will enter Ptolemais or Acre, and will keep my compact and my oath, though my soul shall be separated from my body in so doing." All the English who were with him, and heard this declaration, promised that they would go with him. He then at once set sail for Acre, and, on his arrival there, found that the city was to be surrendered to the Saracens in four days from that time. By his arrival the Soldan of Babylon was disappointed in his expectations; and although he had begun to besiege the city, he returned to his own country with his army.

A.D. 1271.—In this year, whilst the King's eldest son Edward was staying at Acre, a certain Emir of Joppa (a rank which corresponds to that of an Earl amongst us), and a Saracen by birth, was seized with an affection for him, on account of his fame for valour, and frequently sent letters and messages of commendation to him by a certain Hassatut, or Assassin, named Anzazim. This man had been educated from his boyhood in subterranean places, where he had been taught to make a sudden attack on any Prince of the adversaries of his sect, and had been given to understand that, even if he should be slain in his attempt, he would, for such an action, receive new life amidst the joys of Paradise. On one occasion of his coming to Edward, as he had been often accustomed to do, with letters, he pretended that he wanted to reveal some secrets to him. Everyone then having been excluded from the room, the assassin, whilst Edward was leaning against the window and directing his attention outside, suddenly drew a poisoned knife and wounded him twice in the arm, and a third time under the armpit. Edward at once hurled the assassin to the earth with his foot, and, wrenching the knife from his hands, slew the villain with it. In wresting away his knife, however, he wounded himself severely in the hand, and as the poison entered and spread in the wounds, they were only cured with great difficulty, and by the application of many and various remedies. Some say that Edward,

on finding himself suddenly wounded, having nothing to defend himself with, seized the tripod which supported his table and brained the ruffian. He then summoned his attendants, and after explaining the particulars of his mishap, he ordered the body of the wretch to be hung on the walls of the city, by the side of a live dog, that the sight of this spectacle might strike fear into others.

B. Source.—*Matthew of Westminster*, vol. ii., p. 455. (Bohn's Libraries.)

A.D. 1272.—This year, when Edward had been a long time waiting in Acre for aid from the Christians and the Tartars, because he had formed the design of overwhelming the Saracens with a mighty force, seeing that he was deceived by both parties, because the Christians had returned to their own land, and because the Tartars, who are also called Moallians, were perishing under domestic tyranny, he dismissed all his mercenary forces at Acre, and, crossing the sea, landed in the kingdom of Sicily, where he was met with honour by King Charles, who conducted him to Civita Vecchia, where the Roman Court was residing, and where Edward related to Pope Gregory, who was now become his lord, from having lately been his friend, all the perils of the Holy Land.

PARLIAMENT ARRANGES FOR THE INTERREGNUM (1272).

Source.—*Annals of Winchester*, p. 113. (*Annales Monastici*, vol. ii.—Rolls Series.)

In this year, after the Feast of S. Hilary, when an assembly of all the prelates and other magnates of the kingdom had been summoned to Westminster, after the death of the illustrious King Henry, there gathered together the Archbishops and Bishops, Earls and Barons, Abbots and Priors, and from every county four knights and from every borough four, all of whom, in the presence of the lords Walter, Archbishop of York, Roger Mortimer, and Robert Burnell, clerk, who

presided in the place of the lord Edward, King of England, took an oath to the said lord Edward as ruler of the land, and undertook to carry out the commands of the King for the faithful and strict keeping of the peace in the kingdom. Lord Walter of Merton was appointed Chancellor, to remain at Westminster, as a place of public resort, until the arrival of the King. It was further provided that there be no justices itinerant before the King's arrival, but only justices "de Banco."

PERSONAL APPEARANCE AND CHARACTER OF EDWARD I.

Source.—*Nicholas Trivet's Annals*, pp. 281-283. (English Historical Society Publications.)

Edward, King of England, eldest son of Henry the Third by Eleanor, daughter of the Count of Provence, had completed thirty-three years and five months of his life on the day when he succeeded his deceased father on the throne. He was a man of experience and prudence in affairs, devoted from boyhood to the exercise of arms, in which in different parts he had gained such fame as a warrior that he easily excelled the Princes of his time throughout the whole Christian world. In build he was elegant and of commanding stature, towering head and shoulders above the people; his hair, which in boyhood turned from a colour wellnigh silver to yellow, and in youth became black, beautified his old age with its snowy whiteness. His forehead, like the rest of his face, was broad, though the drooping of the left eyelid recalled his father's expression. He spoke with a lisp, but yet did not lack a ready power of persuasion in argument. His arms were supple, in proportion to his body, and supremely fitted in the strength of their sinews for the use of the sword. His girth was greatest round the chest. The length of his lower limbs enabled him to keep a firm seat in riding and leaping with spirited horses. When not engaged in feats of arms, Edward indulged in hawking and hunting, especially the hunting of deer, which he used to pursue on a fleet race-

horse, and when he had come up with them, to pierce with a sword instead of a hunting-spear. . . .

In spirit he was magnanimous, intolerant of insult, and apt to forget the presence of danger in his desire for revenge, though his passions cooled easily on the culprit showing sorrow at his presumption. For example, when on one occasion he was engaged in the sport of falconry near a river-bank, he reproved one of his companions for carelessness regarding a falcon which had caught a duck amidst the willows; but the other, seeing that there was neither bridge nor ford near, lightly replied "that it was sufficient for him to have the river between them"; whereat the King's son, exasperated, entered the water on his horse, though he knew not the depth, forced the animal to swim across, and, ascending with difficulty the steep opposite bank, hollowed out by the rush of the waters, drew his sword and pursued his companion, who had now mounted and ridden off. Finally, the latter, giving up all hope of escape, wheeled his horse round, bared his head, and offered his neck to Edward's will. The King's son, however, softened by this surrender, replaced his sword in its sheath, and the two returned together peacefully, to attend to the needs of the abandoned falcon.

THE ACQUISITION OF WALES (1277).

Source.—*Matthew of Westminster*, vol. ii., pp. 471-472.
(Bohn's Libraries.)

In the fortnight after Easter the King withdrew from Westminster, and hastened towards Wales with all the military force of the kingdom of England, taking with him, as far as Shrewsbury, his Barons of the Exchequer and his justices of the King's Bench, who remained there some time, hearing suits according to the customs of the kingdom of England. The Welsh, fearing the arrival of the King and his army, fled to their accustomed refuge of Snowdon, and the King, relying on the assistance of the Cinque Ports, occupied their territories as far as the mountain of Snowdon

in every direction. Therefore Llewellyn, Prince of Wales, understanding that his manors and castles were being given to the flames and destroyed, took to himself the most powerful chiefs of his country, and about the Feast of the Nativity of the Lord in the aforesaid year, went to the King, entreating him to show mercy and not justice. Accordingly, King Edward received homage and fealty from the most powerful chiefs of the Welsh, and took with him to Westminster their Prince Llewellyn, from whom he received fifty thousand marks in hand; and with whom he made a covenant to receive a thousand marks every year, to be paid into the Exchequer at Westminster for the Isle of Anglesey and the district of Snowdon; and then he permitted the aforesaid Prince to return to those parts, after having been carefully instructed in his duty. Further, by a formal sentence, he deprived Llewellyn's successors for ever of the title of Prince, and reserved all the rest of the territories of Wales of which he had lately made himself master for himself and his successors, the Kings of England.

WRIT FOR DISTRAINT OF KNIGHTHOOD (1278).

Source.—*Parliamentary Writs*, vol. i., p. 214.

The King to the Sheriff of Gloucester, greeting.

We firmly enjoin you to compel without delay all the men in your bailiwick who have twenty librates of land, or a complete knight's fee of the annual value of twenty pounds, and who hold from us in chief and ought to be knights, but are not, to receive from us the arms of a knight before or at the approaching Festival of Christmas; further, you are to compel without delay all those in your bailiwick who have twenty librates of land, or a complete knight's fee of the annual value of twenty pounds, from whomsoever they hold, and who ought to be knights, but are not, similarly to receive the arms of a knight at or before the same festival; take care to exact good and sufficient security from them, and cause their names to be inscribed on a roll in the presence of two lawful

men of the aforesaid county, and have the roll, with your seal and those of the two knights appended, transmitted to us without delay. We further desire you to know that we shall cause strict examination to be made of your conduct in the execution of this mandate, and shall cause fitting punishment to be given.

Witness the King at Westminster on the XXVI. day of June.

THE EARL OF WARRENNE'S TITLE TO HIS LANDS.
(1278).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., p. 6.
(English Historical Society Publications.)

Not long afterwards, the King disturbed some of the nobles by demanding to know, through his justices, by what warrant they held their estates; and if they could not produce a good warrant, he straightway seized their lands. Among others, the Earl of Warrenne was summoned to appear before the King's justices. He, when asked by what warrant he held his lands, produced an old and rusty sword, saying: "This, my lords, is my warrant; for my ancestors came over with William the Bastard and conquered their lands by the sword, and by the sword I shall defend them from whoever shall desire to take them; for the King did not conquer and subdue the whole country by himself, but our ancestors also took part and assisted him." The other nobles, placing themselves on his side and supporting his reasoning, departed in excitement and anger. But the King, when he was informed, feared for himself, and desisted from his mistaken course.

THE STATUTE OF MORTMAIN (1279).

Source.—*Statutes of the Realm*, vol. i., p. 51.

The King to his justices "de Banco," greeting.

Although it was previously ordained that ecclesiastics should not enter on possession of the fees of others without the

licence and permission of the lords-in-chief, from whom these fees are directly held, yet ecclesiastics have up to now continued to take possession of their own fees as well as those of others, appropriating and buying them for themselves, and sometimes receiving them by gift from others, as a result of which the services due from such fees, which have been from all time applied to the defence of the kingdom, are unjustly withdrawn, and lords-in-chief lose their escheats; therefore we, wishing to provide a proper remedy in the interest of the kingdom, hereby, with the advice of the prelates, Earls, and other lieges of our council, provide, decree, and ordain that no ecclesiastic or other person shall buy or sell, or, under pretext of a donation, or lease, or other title whatsoever, shall receive from anyone, or in any way appropriate, by guile or craft, lands or tenements, in such a way that the said lands and tenements may fall to the dead hand, under pain of forfeiture of the same.

We decree, further, that if any ecclesiastic or other person contravene the present statute in any way, by guile or craft, it shall be lawful for us and for other immediate lords-in-chief of a fee so alienated, to enter it within a year of such alienation, and to hold it in fee and as an inheritance. And if the immediate lord be negligent, and fail to enter upon possession of such a fee within a year, then it shall be lawful for the nearest mediate lord of that fee to enter upon and hold that fee, as aforesaid, within the space of half a year following; and so may every mediate lord do, if the lord nearest to him be negligent in entering upon possession, as aforesaid.

And should all the other lords-in-chief (such as be of full age, and within the four seas, and out of prison) be negligent or remiss for one year, we ourselves, after the lapse of a complete year when purchases, donations, or other appropriations of this kind ought to have been made, shall take such lands and tenements into our own hands, and shall enfeoff others on them to do certain fixed services to us for the defence of our realm; saving to the lords-in-chief of those fees, wardships, escheats, and other incidents belonging to them, and

the due and accustomed services. And we command you to cause the aforesaid statute to be read in your presence, and henceforth to be firmly held and observed.

Witness the King, at Westminster, on the fifteenth day of November, in the seventh year of his reign.

THE WELSH REBELLION OF 1281-1282.

A. Source.—*Annals of Dunstable*, p. 291. (*Annales Monastici*, vol. iii.—Rolls Series.)

A.D. 1282.—In the same year the Welsh rebelled a second time against their lord, the King of England; the chief reason for the rebellion was that the lord King had introduced English laws and customs into their territory, and had decreed that county and hundred courts should follow. Another reason was that the Justiciar of Chester had caused certain of the men of David, brother of the Prince of Wales, to be hung, contrary to the usage of the Welsh. Further, by command of the lord the King, the woods of the said David had been cut down for the construction of a safe highway for travellers, as the result of the misdeeds of robbers.

B. Source.—*Annals of Oseney*, pp. 287 *et seqq.* (*Annales Monastici*, vol. iv.—Rolls Series.)

A.D. 1281.—About the Festival of the Annunciation of the Blessed Mary, Llewellyn, violating the peace which he had some time before entered into with the King of England, at the instigation and with the assistance of his brother David, on whom the King of England had bestowed lands and possessions in England, and whom he had honoured with kindness among the nobles of his household, did not shame, with a large band of robbers, to devastate, plunder, and burn, in frequent raids, those lands, belonging to the King of England and the Marchers, which lay nearest to him; he even attacked the Castles of Flint and Rhuddlan, which the King had begun to build on the borders of Wales to ward off the threatened attacks of the Welsh. When the King, who was at that time

keeping Easter at Devizes, heard the news, he sent off a few of his men immediately to check, even a little, the advance of the Welsh, until he himself could take more serious measures. Then, summoning the nobles of the kingdom, he appointed a Parliament to be held at Worcester on the Festival of the Nativity of S. John the Baptist. Meanwhile Roger de Clifford, who was endeavouring to protect the lands lying next his own from the fury of the marauding bands, was captured, mortally wounded, by David and his accomplices. after several of his family had been cruelly put to death. The King, hearing this, decreed in the Parliament above-mentioned that all the nobles of the kingdom should meet him with horses and arms in Wales on the Feast of S. Peter ad Vincula; and when a large army assembled, he laid waste, ravaged, and burned the strongholds, lands, and villages of the Prince of Wales, which lay near him. But the Welsh resisted courageously, and one day, when a detachment from the King's army was advancing somewhat carelessly and allowing itself to become too far separated from the main body, suddenly a countless host of Welshmen, bursting forth from hiding-places in the woods and marshes, attacked our men, who were relatively very few in number. In the struggle were slain the son of lord William de Valence, nephew of the lord King, Richard de Argentocin, and several others, the remainder escaping with difficulty.

The King remained in the region of Rhuddlan until about the Feast of All Saints, and in the meantime the lord John, Archbishop of Canterbury, was sent to Llewellyn at Snowdon to treat for peace with him, or rather to advise and induce him to observe the peace which he had previously made with the King, and confirmed in writing and by oath, especially since the conditions had been carried out. But his mission was fruitless, for Llewellyn could not be induced to make peace. While the Archbishop delayed for three days in Snowdon, the English nobles, showing more foolishness than courage, secretly entered Snowdon, thinking that by craft they could seize it by their own unaided strength. But the Welsh, fore-

warned of their approach, advanced in force against them, and joining battle, easily prevailed over the small detachment of nobles and put them to flight. The fugitives thought to save themselves by crossing a certain river, but, owing to ignorance of the force of the current, several were drowned, namely, Luke de Tani, William de Dodingsele, William la Zouche, and others; the rest escaped with difficulty. This happened on the Festival of S. Leonard. When the Archbishop came down from Snowdon without accomplishing his aim, he uttered sentence of excommunication against Llewellyn as a violator of his oath, and a perjurer, and against David, his brother, and all their accomplices and abettors.

About the same time died the lord Roger Mortimer, one of the most famous men of his age, and a valiant soldier. On his death, the lord Edmund, his eldest son and heir, together with his brother—perchance, as is believed, to appease the King—laid an ambush for the said Llewellyn; for, being informed of his movements by spies, the said Edmund gathered together a large and powerful force, and, more by chance than was imagined at that time, fell in with Llewellyn when he had descended from the mountains of Snowdon for some unknown reason and was traversing the lower ground with the few followers who still adhered to him, and put him, and those of his men who were unable to escape, to death by the sword. The head of the Prince, whom he recognized among the slain, he cut off and sent to the lord King. This memorable triumph of the slaying of Llewellyn happened, under God, about the Feast of S. Thomas the Apostle, before Christmas. The King, glorying in his victory, ordered the head to be taken to London, and affixed it to the Tower on a spear as a memorial of so notable a success.

A.D. 1282.—The King of England, encouraged by the afore-said victory, and seeing a way open to him for the fulfilment of his desires, lest there should be any impediment to his carrying his wishes into effect, entered in triumph with his men the safe and secret hiding-place of the Welsh, to wit, the province of Snowdon; he held Easter in a monastery of Cistercian monks

called in their tongue Aberconway, and situated within the bounds of the aforesaid province. Then he was able to control, as master, the castles and fortified places, both within Snowdon and without, except a certain castle, called in their tongue Bere. Into this castle David, the brother of Llewellyn, who had fled before the King on learning of his coming, had in vain introduced a garrison, promising to send them speedy assistance, while he himself took refuge in secret and almost inaccessible woods and swamps. The castle itself was surrounded by an impassable marsh, and possessed no entrance except by narrow paths artificially constructed to overcome the natural difficulties of the ground. When the King found this out, he carefully closed up the entrances and exits and besieged the defenders so straitly that, giving up hope of any succour, they were compelled to surrender the castle and trust to the clemency of the King, who graciously granted them freedom of life and limb. Then the King, by a lavish distribution of gifts and presents, entered privily into an agreement with some of the natives who knew the hidden ways and secret retreats, and they, not without joy, compelled David to withdraw from his refuge, and surrendered him to the King, who sent him, as was only just, to be imprisoned, along with his wife and son, at Rhuddlan. This took place about the Feast of S. Botulf. . . . About Michaelmas, the King, summoning the nobles and mayors of the cities to meet him at Salisbury, held a Parliament, and caused David, who had been imprisoned at Rhuddlan, to be brought before him; and after consideration of his misdeeds, had him condemned to death, by advice of the magnates.

THE STATUTE OF WINCHESTER (1285).

Source.—*Statutes of the Realm*, vol. i., pp. 96-98.

I. Forasmuch as, from day to day, robberies, homicides, and arsons happen more frequently than they did in aforetime, and felonies cannot be attained by oath of jurors, who more willingly suffer felonies done to strangers to pass without punishment than to indict the evil doers, since many of them

are men of the same neighbourhood, or at least, if the malefactors be of another district, their receivers are of the neighbourhood; and this they do because a positive oath has never been put upon jurors nor upon the district where the felonies were committed for restitution of damages, and hitherto no punishment has been provided for concealment or overlooking; our lord the King, to abate the power of felons, has established a punishment in such cases, so that for fear of the punishmer & more than for fear of the oath, they should spare no one henceforth, and conceal no felony; and he commands that proclamation of this punishment be solemnly made in all counties hundreds, markets, fairs, and other places. where people are wont to assemble, so that no one may excuse himself on plea of ignorance, and each county may henceforth be so properly guarded, that immediately after robberies and felonies fresh suit be made from town to town, and from district to district.

II. Likewise inquests shall be made, if need be, in towns by him who is lord of the town, and afterwards in hundreds and in franchises and in counties, and sometimes in two, three, or four counties, in those cases where felonies shall be done on the boundaries of counties, so that malefactors may be attainted. And if the district will not answer for the persons of such manner of offenders, the punishment shall be such that each district, that is to say, the people dwelling in the district, shall be answerable for the robberies done and the damages; so that every hundred where a robbery takes place, or the franchises which are within the precinct of the same hundred, shall be answerable for the robbery. And should the robbery take place on the boundary between two hundreds, both hundreds shall be answerable, together with the franchises they contain; and the district shall have no longer a term, after the committing of the robbery and felony, than forty days within which to give satisfaction for the robbery and for the offence, or to answer for the bodies of the evildoers.

III. And inasmuch as the King does not wish that people should be suddenly impoverished by this penalty, which may seem hard to some, he grants that it be not immediately

enforced, but that respite be had until next Easter, and within that time he will take note how the district acts, and whether such robberies and felonies cease. After which term all may be assured that the aforesaid penalty shall be applied generally in this way, that every district, that is to say, the people dwelling in the district, shall be answerable for the robberies and felonies done in their district.

IV. And for the greater safety of the district, the King has commanded that in the great cities which are walled, the gates be closed from sunset to sunrise; and that no man shall take lodging in a suburb or in any place beyond the walls of a town, from nine of the clock until day, unless his host be willing to answer for him; and the bailiffs of towns every week, or at least every fortnight, shall make inquisition for people harboured in suburbs and outside the walls of a town; and should they find any that have harboured or received in any way people of whom it is suspected that they are against the peace, let them do right therein. And henceforth it is commanded that watches be made, as was formerly accustomed to be done, from Ascension to Michaelmas, in every city by six men at each gate; in every borough by twelve men, and in every town in the land by six men or four according to the number of people who dwell there; and they shall keep watch continually the whole night from the setting to the rising of the sun. And should any stranger pass, he shall be arrested until morning; and should no suspicion be found of him, he shall go free; but if there be suspicion, he shall straightway be handed over to the sheriff, who shall receive him without doing him bodily hurt, and shall keep him safely, until in due manner he be acquitted. And should such persons not suffer themselves to be arrested, hue and cry shall be raised after them, and those who keep the watch shall follow them with the whole town and the neighbouring towns, and hue and cry be made from town to town, until they be taken and handed over to the sheriff, as is above provided; and for the arrests of such strangers, no one shall be punished.

V. It is further ordained that the highways from one

market town to another be widened, where there be woods, hedges, or ditches, so that there be no ditches, hedges, or bushes where a man may lurk to do hurt within two hundred feet on either side of the road; provided that this statute be understood not to extend to oaks or great trees, where it is clear underneath. And if through the fault of the lord, who shall be unwilling to destroy ditches, hedges, or bushes, as aforesaid, robberies take place, the lord shall be answerable; and if there be murder, the lord shall be fined at the will of the King; and if the lord be unable of himself to cut down the bushes, the district shall aid him. And the King wishes that in his demesne lands, and woods within forests and without, the roads be widened as aforesaid. And should there be by chance a park near the highway, the lord thereof shall diminish his park until it be two hundred feet from the highway, as aforesaid, or shall build such a wall, ditch, or hedge, that evildoers shall be unable to cross and recross to do evil.

VI. Further, it is ordained that every man have in his house arms to keep the peace according to the ancient assize; that is to say, that every man between the ages of fifteen and sixty be assessed and sworn to arms, according to the quantity of his land and chattels, as follows:—from a man with fifteen pounds worth of land and chattels worth forty marks, a hauberk, an iron helmet, a sword, a knife, and a horse; from ten pounds worth of land and chattels worth twenty marks, hauberk, helmet, sword, and knife; from an hundred shillings of land, a doublet, iron helmet, sword, and knife; from forty shillings of land and beyond it up to an hundred shillings, sword, bow, arrows, and knife; and he with less than forty shillings of land shall be sworn to carry darts, knives, and other small arms; and he that hath less than twenty marks in chattels, shall carry swords, knives, and other small arms. And all others who can, out of the forests shall have bows and arrows, and within the forests bows and boulds. And the view of armour shall be made twice a year; and in every hundred and franchise shall be elected two constables to make the view of armour; and the aforesaid constables shall

bring to the notice of justices specially entrusted therewith, when they shall come into the district, such faults as they find in the view of armour, in suits, in watches, and in highways; and they shall present also such persons as harbour strangers, for whom they will not be answerable, in upland towns. And the said justices in every Parliament shall present such defaults to the King, and the King shall find a remedy therefor. And henceforth sheriffs and bailiffs, within franchises and without, greater or less, who hold any bailiwick or forest in fee or in any other manner, shall take care to follow the hue and cry with the district, and, as they are required, they shall have horses and armour to do so; and if there be any who do not, the defaults shall be presented by the constables to the justices, and by them to the King, as aforesaid. And the King commands and ordains that from henceforth fairs or markets be not held in cemeteries, for the honour of Holy Church.

Given at Westminster, on the last day of October, in the thirteenth year of the King's reign.

THE GOOD GOVERNMENT OF ALEXANDER III.,
KING OF SCOTLAND.

Source.—*The Book of Pluscarden*, pp. 81-82. (*Historians of Scotland*, vol. x.)

In all the early days of the life of the said King the Catholic Church of Christ flourished at its highest in the kingdom of Scotland, justice reigned, vice was withered up, virtue increased, and the State grew so much that prosperity and peace and abundance of wealth and the pouring in of money and fruitful plenty prevailed in Scotland during all his time. The King, moreover, was adorned with every virtue, beloved by all good men, hated by the wicked. A ruler is so called from ruling well; for where there is no rule, there is no ruler. That King, indeed, so behaved towards his enemies that they feared him with the utmost fear and loved him with hearty love; and in his country he maintained unshaken peace, law, and unbroken prosperity, so that the inhabitants thereof

abode in the beauty of peace, in the tents of trustfulness and in plenteous ease; and he quelled all insolence, disturbances, rioting, and rebellion. Now he had this habit, that he was wont to travel every year through all the districts of his kingdom with a large retinue, to become acquainted with his people, to reprove shortcomings, to administer justice, to punish rebels, to cherish and reward the good; and, with the officers of each district, thoroughly to reform all abuses. He would not allow within his kingdom any idlers without a trade or means of livelihood. When the knights and officers of one district went away from him, the sheriff of another district, with a chosen train of knights, came to meet him. Moreover, he made it a statute of the realm that everyone should, in each working day, dig the length and breadth of his own body—that is, seven feet—considering that idleness is the foe of virtue. Likewise he would not allow very many licences for horses, save only those devoted to work, in the court of any lord, or in the houses of the rich; for too great a number of horses destroys the sustenance of the poor; for they were bred neither for necessary purposes nor for profit. The King also decreed that merchandise should not cross over by sea to any place without the kingdom; for so many ships were distressed, others taken by foes and enemies, that the kingdom was much impoverished in this particular; and therefore he decreed that up to a certain time no ship should pass out of the realm on pain of loss of goods. Thus, notwithstanding it was with great difficulty that this was enforced, yet many ships laden with all manner of merchandise would come in abundance and readily to the country in these days without danger, and barter all their merchandise, goods for goods, without the medium of cash. This King also forbade any but free burgesses to meddle in such trade at all. When these statutes had been in force for a time, the country in a few years so flourished in fruitfulness and abundance of all wealth, in handicrafts also, and in metals and moneys and all the other advantages of policy and good government, that numberless ships and merchants, hearing of the King's justice and wisdom,

86 POPULAR SONG ON DEATH OF ALEXANDER III.

poured in thither from all parts of the world, and said they saw in the country better and greater things than they had heard of from afar. Accordingly the country became so wealthy that Lombards came from the borders of Italy, bringing into the country untold gold and silver and precious stones, and made the King an offer to build and construct a city in the country on their own account, on Queensferry Hill or on an island near Cramond, if the King would see that they got the due and needful privileges and liberties. This would have been accorded to them had not death, which snatches all things away, so soon carried off the King from the world, leaving no lawful offspring from him to succeed to the throne.

POPULAR SONG ON THE DEATH OF ALEXANDER III.

Source.—*Androw of Wyntoun's Orygynale Cronykil of Scotland*, book vii., ll. 3619-3626.

(This song, probably contemporary, is inserted by Wyntoun at the close of his account of Alexander III., under the heading "Cantus.")

Quhen Alysandyr oure Kyng wes dede,
That Scotland led in luwe and lé,*
Away wes sons† off ale and brede,
Off wyne and wax, off gamyn and glé:
Oure gold wes changyd in to lede.
Cryst, borne in to Vyrgynyte,
Succoure Scotland and remede,
That stad is in perplexyte.

THE EXPULSION OF THE JEWS (290).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 20-22 (English Historical Society Publications.)

The King held a Parliament at London after Easter . . . and the Barons complained of the wickedness and perfidy of the Jews, in that they had impoverished many of the nobles

* Law.

† Plenty.

by divers usuries and false scripts, and had corrupted the coinage throughout the whole land; therefore, it was ordained by the King and the Privy Council that, on a certain day between the hours of one and three, all Jews in every city should be seized and then expelled from the realm; a like zeal inspired all, for they thought to obtain great favour in the sight of God by cutting off from the faithful those who had risen against Christ. And this ordinance was carried into effect, for on the one day all Jews were seized, and before another appointed day, expelled. All their real property was confiscated together with their starrs* and obligations; but their remaining movables, with their gold and silver, the King allowed them to take away—which was a matter of displeasure to many. Among them were certain Jews of London, of the noblest and wealthiest in the city, who, since they had immense treasure, hired a great and lofty ship in the harbour, loaded it, went on board and departed. When they were descending the Thames and had now approached nigh to the sea, the master of the ship, without leave, anchored it in the midst of the waters, for he grieved to think of the kingdom being despoiled of such riches. When the tide ebbed and the ship was left on the sands, he said to the Jews, “My masters, you have already suffered discomfort from the sea, and many greater discomforts are to follow; it would be well then to come and walk with me on the sands, while the tide is out, for the waters will not return yet for a space.” The Jews acquiesced joyfully, and disembarked; but he conducted them afar off from the vessel until he saw the waters returning; and as the tide flowed in, he ran forward and climbed to the deck of his vessel by means of a rope; whereupon the Jews, following slowly, called to him to rescue them. “Call not upon me,” he cried in answer, “but upon Moses your prophet; for he brought your fathers through the midst of the Red Sea, and is able to snatch you from the midst of the waves, if he will.” They called, therefore, upon God and upon Moses, but were not heard, for the sea swallowed them up, and they

* Acquittances and assignments of debt. The word is Hebrew.

perished in the waters. Then the sailor returned to the King, told him all, and claimed favour and reward.*

JOHN BALLIOL DOES HOMAGE TO EDWARD FOR HIS KINGDOM OF SCOTLAND (1292).

source.—*Nicholas Trivet's Annals*, pp. 324-325. (English Historical Society Publications.)

The King of England, after the Feast of S. John the Baptist, came to Scotland, and having listened to the pleas in support of their right of those who claimed the Scottish throne, caused forty persons to be elected, twenty from England and twenty from Scotland, to examine those pleas with diligent care, the final decision being postponed to the following Michaelmas. When the aforesaid date arrived, after careful discussion, Edward, with the consent of all, adjudged the kingdom without reservation to John Balliol, who was descended from the eldest daughter of David, King of the Scots. Robert Bruce, between whom and the aforesaid John decision lay, after the claims of the others had been dismissed, although one degree nearer in descent, yet was descended from the second daughter of David. John, on the Feast of S. Andrew the Apostle following, was crowned, seated on the royal stone in the Church of Canons Regular at Scone. After the coronation, coming to the King of England, who was keeping the Festival of the Nativity of our Lord at Newcastle-on-Tyne, he did homage in these words: "My lord, lord Edward, King of England, I, John Balliol, King of Scotland, acknowledge myself your liege vassal for the whole kingdom of Scotland, with its appurtenances and all belonging to it, which kingdom I hold and claim by right to hold hereditarily, from you and your heirs, Kings of England, as regards life and limb and earthly honour, against all men who live and die." And the King received homage in the aforesaid form, saving his own or another's right. And when King John had

* According to Sir Edward Coke, the master and his accomplices were tried, and hanged for murder. The King had granted a safe-conduct to all Jews leaving the country.

done homage, the King of England restored to him without delay the kingdom of Scotland in full with all its appurtenances.

THE OUTBREAK OF WAR BETWEEN ENGLAND AND FRANCE (1293).

Source—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 40 *et seqq.* (English Historical Society Publications.)

In the year of our Lord 1293 a shameful quarrel arose between the English seamen of the Cinque Ports and French seamen from Normandy, in this wise. A certain ship from the Cinque Ports touched at a port in Normandy and remained there several days; one day two sailors from this vessel were going to draw pure water from a spring in the neighbourhood, when they chanced to meet some Norman sailors, who so irritated them that they had recourse to abuse and then to blows; finally weapons were drawn, and one of them was killed; the other fled, and betook himself with his companions to the ship, where he told what had happened and how the Normans were hard in pursuit. They sailed out on to the high seas, hoping there at least to escape, but the enemy followed so as to capture them. Evading their pursuers with difficulty, they told the news to the seamen in the Cinque Ports, and besought aid; nor did the rage of the Normans abate; for they secured reinforcements, and sought out English vessels on the seas. They happened on one occasion to fall in with six English ships, which they attacked; two of them they destroyed, hanging the men with dogs to the yard-arm, and thus sailed over the seas, making no difference between a dog and an Englishman. When tidings of this event were brought to the men of the Cinque Ports by those who had escaped, they straightway gathered together, and, grimly resolving to avenge the insult, sought out their enemies.

(A fierce naval engagement followed, in which the English were victorious.)

When Philip, King of France, received the news of this

battle, although his brother Charles had been the cause of it; he sent to the King of England messengers who vehemently demanded that reparation should be made, that those responsible for the engagement should be given up for punishment, and that a great sum of money should be paid as compensation for loss to his merchants. To these demands our King prudently answered that he would reply through his own agents; and, by their mouth, asked the King of France, as his relative and lord, to appoint a day and place, where they might both agree to be present, to deliberate on the matter in a friendly fashion, and to do further whatever the state of the case demanded. The King of France did not accept this proposal, but, with the advice of his Barons, commanded the King of England, by writ, to appear in his Court on a certain day to answer for the above-mentioned damages. When the English King did not appear on the day appointed, it was decided and ordained by the Court of the King of France that he should be disseised of all his lands beyond the seas, and should be summoned to appear on another day, under pain of forfeiture of his whole continental possessions.

The King of England, fearing a disturbance—having been warned to that effect by some of his friends—did not come in person, but sent his brother, the lord Edmund, Earl of Leicester, on each occasion, with letters empowering him to do whatever was required by justice. When the latter appeared with a sufficient mandate on behalf of the King of England, the French Barons did not receive him, but in the Royal Court adjudged Gascony, and all the lands of the King of England, forfeited for contempt. The lord Edmund himself, then, in hope of peace, carried on divers negotiations with the King of France; so that it was commonly said that our King would marry the sister of the King of France, and by that means a settlement be arrived at. Meanwhile the Seneschal of the King of England in Gascony refused to allow the officers of the King of France to enter in to take possession of the Duchy, and a great dispute took place; thereupon the King of France,

summoning the lord Edmund to his presence, asked him, as a friend and as the mediator on behalf of peace, to allow him to possess himself of four or five cities only—Bordeaux, Bayonne, Langon, and Marmande—and this in the hope of peace, for he said he could not sign a treaty of peace unless his Barons saw the sentence of their Court carried into effect; he promised, on his honour as a King, that complete peace would follow if this request were granted. Edmund, saying that he could not dare to take it upon himself so to do, asked to be allowed to seek the opinion and consent of the King of England himself. Edward, placing full reliance on his brother's words, replied by letters patent to the effect that he was content with and would abide by whatever his brother thought should be done regarding the matter in his name. When these letters had been received and reported to the King of France, the King promised in all good faith, and by his word as a King, that he would restore everything in full peace after a short time, according to his vow. Edmund, guilelessly trusting him, and ensnared by the royal promise, did not demand security, believing that the royal word must be of more value than any safeguard whatever; and he wrote immediately to the Seneschal of Gascony, ordering him to give seisin of the cities to the officers of the King of France. Thereupon the French introduced into Gascony first a few men, then a large number, by stealth, and finally a great army, openly. The lord Edmund, being informed of this, and fearing rebellion, asked the King of France to remember his promise and to forbid it; but the King replied: "Wait a little, until the forty days have passed, when I shall restore all." When that time was completed, the lord Edmund again brought the matter before him, only to receive the immediate reply that a decision of his Court and judgment by twelve peers could not be revoked without their consent; then, changing his attitude to one of scorn, Philip departed.

The lord Edmund . . . secretly and in haste left the Court, and, coming to England to his brother the King, recounted everything in order, not without great anguish of mind,

saying that he had been guilty of folly and self-deception. But the King, although disturbed in mind by the news, yet gently comforted his brother, and, hastily summoning his nobles and John, King of Scotland, held a Parliament at London, in which he narrated in their presence the whole course of events, and sought their advice and assistance, saying that he himself intended, even had he no greater following than one boy and one horse, to prosecute his rights to the death, and to take vengeance on Philip for his insults; but the magnates replied unanimously that they would follow him to life or to death. . . . The King, thus secure of assistance from his own subjects, sent two brethren of the Order of Friars Preachers with letters of presentation to the King of France, to renounce his homage to the said King.

WRITS OF SUMMONS TO THE PARLIAMENT OF 1295.

I. SUMMONS OF THE ARCHBISHOP AND CLERGY.

Source.—*Report on the Dignity of a Peer*, App. I., p. 67.

The King to the venerable father in Christ, Robert, by the same grace, Archbishop of Canterbury and Primate of all England, greeting.

Even as that most equable law, established by the far-seeing wisdom of the fathers of the Church, exhorts us to remember and ordains that what concerns all should be approved by all, so it is evident that common dangers should be provided against by remedies devised in common. You know, doubtless, for it is, we believe, generally noised abroad throughout the world, that the King of France has fraudulently and deceitfully deprived us of our land of Gascony, and wickedly detains it from us. And now, not content with the aforesaid fraud and wickedness, he has collected a great fleet and a warlike body of soldiers, with which he has made hostile advance against our kingdom and the inhabitants thereof, with intent, if his power correspond to the detestable iniquity of his intentions, utterly to drive the English tongue from out

the land. Since, therefore, missiles which are foreseen do less destruction, and since your personal affairs, like those of your fellow-subjects in this kingdom, are greatly affected by this matter, we enjoin you, by the faith and love with which you are bound to us, to be present in person at Westminster on the Sunday after Martinmas this approaching winter; and premonish the Prior and chapter of your cathedral, the Archdeacons, and the whole body of clergy, to send with you the Prior and Archdeacons in person, and one suitable Proctor from the chapter and two from the clergy, provided with full and sufficient authority from the said chapter and clergy, to treat, ordain, and take all necessary measures, together with ourselves and the other prelates and inhabitants of our kingdom, to meet the dangers and plots directed against us as aforesaid.

Witness the King at Wingham on the thirtieth day of September.

2. SUMMONS OF THE REPRESENTATIVES OF SHIRES AND TOWNS.

Source.—*Report on the Dignity of a Peer*, App. I., p. 66.

The King to the Sheriff of Northamptonshire.

Inasmuch as we wish to confer and treat with the Earls, Barons, and other nobles of our kingdom, in order to provide remedies against the evils threatening the kingdom in these days, and with that end in view have instructed them to come to us at Westminster on the Sunday after Martinmas this approaching winter, to treat, ordain, and take measures to meet the aforesaid dangers, we enjoin you firmly to cause to be elected without delay from the aforesaid county two knights, and from every city two citizens, and from every borough two burgesses, of those more discreet and ready to take pains, and to make them appear before us at the aforesaid time and place; provided that the said knights, by themselves, shall have full and sufficient power for themselves and the whole body of the aforesaid county, and the said citizens and

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burgesses, by themselves, for themselves and the whole body of citizens and burgesses, to carry out whatsoever shall be ordained by the advice of all, in regard to the aforesaid matters; provided that the business shall not remain undone through lack of these powers. And bring with you the names of the knights, citizens, and burgesses, and this writ.

Witness the King at Canterbury on the third day of October.

EVIL PRIESTS THE CAUSE OF THE PEOPLE'S RUIN.

Source.—*Chronicle of Lanercost* (translated by Sir Herbert Maxwell in the *Scottish Historical Review*, vol. vii., pp. 283-284).

In like manner, as we know that it is truly written, that evil priests are the cause of the people's ruin, so the ruin of the realm of Scotland had its source within the bosom of her own Church, because, whereas they who ought to have led them (the Scots) misled them, they became a snare and stumbling-block of iniquity to them, and brought them all to ruin. For with one consent both those who discharged the office of prelate and those who were preachers, corrupted the ears and minds of nobles and commons, by advice and exhortation, both publicly and secretly, stirring them to enmity against that King and nation who had so effectually delivered them; declaring falsely that it was far more justifiable to attack them than the Saracens. Certain mercenary priests also, not really pastors, pretending to be dealers in wool, had crossed over to the country of the French at the preceding Feast of S. Lawrence (10th August, 1294), commissioned by their people to disclose this nefarious plot to the King (of France). These were the Bishops of St. Andrews and Dunkeld, who, according to the prophetic saying, "delighted the King by their wickedness and Princes by their fraud." For, not long afterwards, they succeeded in making them believe their falsehoods, and sent letters by their servants announcing that the King of France was most favourably inclined towards them, and that a huge fleet was setting sail with a large force

of men, and with arms, horses, and provender. In corroboration whereof the Bishop of St. Andrews sent in advance to Berwick many new and valuable arms, and also most sumptuous pontifical vestments, all of which we know were seized and taken by the Bishop of Durham's sailors in the very mouth of that port.

Also, to confirm what was said by the Holy Job—"the vain man is puffed up by pride, and thinketh himself to be born as free as a wild ass's colt"—this foolish people, yielding credence to these rumours, turned fiercely upon all the English found within their borders, without regard to age or sex, station or order. For the authority of the Church, which was very oppressive, decreed that those rectors and vicars of churches who were of English origin should be ousted and expelled from the country by a given date; also the stipendiary priests were suspended and were sentenced to expulsion with their clerical compatriots. Moreover, the royal authority ejected monks from their monasteries, and unseated those who were in high office; it even forced laymen out of their own houses, confiscating under royal sasine* or taxing the goods found therein. Also the biting tongues of certain evil men, who either could not or dared not do injury by force, composed ballads stuffed with insults and filth, to the blasphemy of our illustrious Prince and the dishonour of his race; which, though they be not recorded here, yet will they never be blotted from the memory of posterity.

THE VOYAGE OF KYNGE EDWARDE (1296).†

Source.—*Archæologia*, vol. xxi., p. 478.

(The author of this English account of Edward's expedition is unknown; the minuteness of the detail would suggest its having been written by one who took part in the march.)

* A deed giving legal possession of land.

† In the identification of place-names in this passage, I have followed Professor Hume Brown, *Early Travellers in Scotland*, pp. 2-6,

HERE FOLLOWETH THE VOYAGE OF KYNGE EDWARDE INTO
SCOTLANDE, WITH ALL HIS LODGYNGS BRYEFLV EXPRESSED.

In the xxiiij yer of the raigne of King Edwarde, Ester daie was on the daie of the Annunciation of owre Lady, and on the Wednesdaie in the Ester weke beyng the xxviiij day of Marche passed Kynge Edwarde the forenone the Ryver of Twede with v thousand horses coverid and xxx^{ti} thousand fotemen, and laie that nyght in Scotland at the Priori of Calderstreme; and the Thursdaie at Hatton; and the Fridaie toke the towne of Barwyk upon Twede by force of armes without thought tarieng. The Castell was geven up the same daie by the Lorde William Dowglas, whiche was in it and the Kynge in the said Castell all that nyght and his hoste in the towne, everi man in the house that he hath gotten, and the Kynge taried ther almoste a monthe. And on Saint Georges daie the xxiiij day of Aprill cam newes to the Kynge that they of Scotland had beseged the Castell of Dunbarre that longed to the Erle Patrik the whiche holded strongly with the Kynge of England. And on the Mundaie, the Kynge sente his men to areyse the siege, but before thei cam the Castell was geven up the same daie, and the Scottis wer in it when the Englishmen cam to it and did assige it with iij hostes on the Wednesdaie that they cam ther; and the Tuesdaie they that wer within sende owte privyly; and the Thursdaie and Fridaie cam the hoste of the Scottis ner them aboute none¹ to have raysid the siege of the Englysshmen, and when the Englysshmen se them come towarde them, then the Englysshmen ran to the Scottis and discomfitedid them and did overcome them, and the chase did dure well x myles of waie untill it was evenyng; and ther died the Lorde Patrik of Greahm, a greate lord, and x thousand and lv by right accompte. And the same Fridaie cam the Kyng from Barwyk to goo to Dunbarre and laie that night at Coldynghm; the Saturdaie at Dunbarre; and the same daie they of the Castell gave over at the Kynge's pleasure, and ther was in it therle of Acelelles,² the erle of Roos, therle of

¹ Noon.

² The Earl of Atholl.

Monetet, Syr John Comyn of Bedvaasok,¹ the son of Syr Richard Suard, Syr William Saintler,² and iiij skore men of armes and vij skore fotemen. Ther taried the Kynge iij daies; the Wednesdaie Ascencion even the Kynge went to Hadyngton; the Sundaie after to Lowedere;³ the Mundaie to Rokesbrough at the Graie Freres, the Kynge lodgeid ther Tuesdaie at the Castell, and the Kynge taried there xiiij daies. And the xvth daie went to Gardeford;⁴ the Thursdaie to Wiel;⁵ the Fridaie to Castelton; the Sundaie bak ageyn to Wiell; the Mundaie to Gaydeford;⁶ the Fridaie to Rokesbrough; the Mondaie after to Lowdere; the Tuesdaie to the Abbey of Neubattaill; the Wednesdaie to Edenbrough the abbey, and caused ther to be set up iij engyns castyng into the Castell day and night; and the vth daie thei spake of pees; the viijth daie the Kynge went to his bedde to Lunsta,⁷ the engyns castyng stille before the castell. The Thursdaie wente to Estrevelyn,⁸ and they that were in the castell ran away and left non but the Porter, which did render the keyes: and theder cam therle of Stradern to the pees; and the Kynge taried ther v daies. The Wednesdaie before Saint Johns daie the Kynge passed the Scottish se⁹ and laid at Entrearde¹⁰ his castell, the Thursdaie to Saynt Johns,¹¹ a metely goode towne, and ther abode Fridaie, Satordaie, and Sundaie, which was Saint John Baptist daie; the Mundaie went to Kynge Colowen Castell;¹² the Tuesdaie to Clony¹³ castell, and ther abidde v daies; the Munday after to Entrecoit¹⁴ Castell; the Tuesday to Forfar Castell, a good toune; the Friday after to Fernovell;¹⁵ the Saturdaie to Monorous¹⁶ castell and a good toune, and ther abidde Sundaie, Mondaie, and Tuesdaie; and ther cam to hym Kynge John of Scotlande to his mercy, and did render quietly the Realme of Scotlande, as he that had done amys.¹⁷ Also ther cam to merci therle of Marre, therle of Bochan,

¹ Badenoch.⁴ Jedburgh.⁷ Linlithgow.¹⁰ Auchterarder.¹² Cluny.¹⁶ Montrose.² Sinclair.⁵ Whitekirk.⁸ Stirling.¹¹ Perth.¹⁴ Inverquiech.³ Lauder.⁶ Jedburgh.⁹ The River Forth.¹² Kinclavin Castle.¹⁵ Farnell.¹⁷ Amiss.

Syr John Comyn of Badenasshe, and many oder. The Wednesdaie went to Kyng Carden, a faieur manour; the Thursdaie to the mountaigne of Glowberwy;¹ the Wedeninesdaie to a manour in the Dounes² amonge the mountaignes; the Saturdaie to the cyte of Dabberden,³ a faire castell and a good towne upon the see, and taried ther v daies; and thedar was brought the Kynges enemy Syr Thomas Worhme,⁴ Sir Hugh Saint John did take and xij with hym. The Fridaie after wente to Kyntorn⁵ maner; the Saturdaie to Fyuin⁶ Castell; the Sundaie to Banet⁷ Castell; the Mundaie to Incolan⁸ maner; the Tuesdaie in tentis in Lannoy⁹ upon the ryver to Repenathe¹⁰ maner in the counte of Morenue;¹¹ the Thursdaie to the cite of Deigm,¹² a good Castell and a good towne, and taried ther ij daies; the Sundaie to Rosers¹³ Maner. The Kyng sent the same daie Syr John Cantelow, Syr Hugh Spencer and Syr John Hastynges to serche the cuntry of Badenasshe, and sent the Bishopp of Dyresym¹⁴ with his people over the mountaynes by another way then he wente hymselfe; the Mundaie he wente into Interkeratche,¹⁵ wher ther was no more then iij houses in a rowe between too mountaignes. The Tuesdaie to Kyndroken¹⁶ castell belonging to the erle of Marre, and ther taried Wednesdaie, Sainte Peturs daie, the first daie of Auguste; on Thursdaie to the hospitall of Kyncarden in the Marnes;¹⁷ the Saturdaie to the cite of Dreghem;¹⁸ the Sundaie to the Abbey of Burbrodoche,¹⁹ and it was said that the abbot of that place made the people beleve that there was but women and no men in Englande; the Mundaie to Dundee; the Tuesdaie to Balygernatthe,²⁰ the redde Castell; the Wednesdaie to Saint John of Perte; the Thursdaie to the Abbey of Loundos,²¹ and taried ther the Fridaie, Seynt Lawrence daie. Saterdaie to the

¹ Glenbervie.⁴ Warham.⁷ Banff.¹⁰ Balvenie.¹³ Rothies.¹⁶ Kildrummy.¹⁹ Aberbrothock (Arbroath).² Durris.⁵ Kintore.⁸ (Inver) Cullen.¹¹ Moray.¹⁴ Durham.¹⁷ Mearns.²⁰ Baledgarno.³ Aberdeen.⁶ Fyvie.⁹ Enzie.¹² Elgin.¹⁵ Innerquharanche.¹⁸ Brechin.²¹ Lindores.

Cite of Saint Andrew, a castell and a good towne; the Sundaie to Merkynch, wher as is but the church and iij houses. Mondaie to the abbey of Donfremelyn,¹ ther as all the moste of the Kynges of Scottes lieth. The Tuesdaie to Strevelyn, and taried ther Wednesdaie owre Lady daie; the Thursdaie to Lansen;² the Fridaie to Edenbrough, and ther taried Saturdaie; Sundaie to Hadyngton; Mundaie to Pikelton,³ by Dunbarre; Tuesdaie at Coldyngham; Wednesdaie at Barwyk; and conquerid and serchid the Kyngdom of Scotland as is aforesaid in xxj wekys withought any more.

THE SIEGE OF BERWICK (1296).

Source. — *Chronicle of Lanercost* (translated by Sir Herbert Maxwell in the *Scottish Historical Review*, vol. vii., pp. 383-384).

The King solemnly observed the thanksgiving services on Easter Day at his Castle of Wark, and tried to persuade the head men of Berwick to surrender, promising them safety in their persons, security for their possessions, reform of their laws and liberties, pardon for their offences, so that, had they considered their own safety, they would not have slighted the proffered grace. But they, on the contrary, being blinded by their sins, became more scornful, and, while he waited for three days, they gave no reply to so liberal an offer; so that when he came to them on the fourth day, addressing them personally in a friendly manner, they redoubled their insults. For some of them, setting themselves on the heights, . . . reviled the King and his people; others fiercely attacked the fleet which lay in the harbour awaiting the King's orders and slew some of the sailors. The women folk, also, bringing fire and straw, endeavoured to burn the ships. The stubbornness of these misguided people being thus manifest, the troops were brought into action, the pride of these traitors was humbled almost without the use of force, and the city was occupied by the enemy. Much booty was seized, and no fewer than fifteen thousand of both sexes perished, some by the

¹ Dunfermline.² Linlithgow.

Pinkerton.

sword, others by fire, in the space of a day and a half, and the survivors, including even little children, were sent into perpetual exile. Nevertheless, this most clement Prince exhibited towards the dead that mercy which he had proffered to the living, for I myself beheld an immense number of men told off to bury the bodies of the fallen, all of whom, even those who began to work at the eleventh hour, were to receive as wages a penny apiece at the King's expense.

THE OPPRESSION OF SCOTLAND BY THE ENGLISH
(1296).

Source.—John Barbour, *The Bruce*, book i., ll. 179-224.

Quhen Schyr Edward, the mychty King,
Had on this wyss done his likyng
Off Jhone the Balleoll, that swa sone
Was all defawtyt and wndone,
To Scotland went he than in hy,¹
And all the land gan occupy
Sa hale that bath castell and toun
War in-till his possessioun,
Fra Weik² anent³ Orkenay
To Mullyr snwk⁴ in Gallaway,
And stuffyt all with Ingliss men.
Schyrrefiys and bailyheys maid he then,
And alkyn⁵ othir officeris
That for to gowern land afferis⁶
He maid off Inglis nation;
That worthyt⁷ than sa ryche fellone,⁸
And sa wykkyt and cowatouss,
And swa hawtane and dispitouss,⁹
That Scottis men mycht do na thing
That euir mycht pleyss to thar liking.

¹ Haste.

⁴ Neck.

⁷ Became.

² Wick.

⁵ All kinds of.

⁸ So monstrously rich.

³ Opposite.

⁶ Pertains.

⁹ Despiteful.

Thar wyffis wald thai oft forly,¹
 And thar dochtrys dispitously:
 And gyff ony of thaim thair-at war wrath,
 Thai watyt² hym wele with gret scaith;³
 For thai suld fynd sone enchesone⁴
 To put hym to destructione.
 And gyff that ony man thaim by
 Had ony thing that wes worthy,
 As horss or hund or othir thing
 That war plesand to thar liking,
 With rycht or wrang it have wald thai.
 And gyf ony wald thaim withsay,⁵
 Thai suld swa do, that thai suld tyne⁶
 Othir land or lyff, or leyff in pyne.⁷
 For thai dempt⁸ thaim eftir thair will,
 Takand na kep⁹ to rycht na skill.¹⁰
 A ! quhat¹¹ thai dempt them felonly.
 For gud knychtis that war worthy,
 For litill enchesoune or than nane
 Thai hangyt be the neckbane.
 Als that folk that cuir wes fre
 And in fredome wount for to be,
 Throw thar gret myschance and foly
 War tretyt than sa wykkytly
 That thair fays¹² thair jugis¹³ war.
 Quhat wrechitnes may man have mar ?

THE POPE FORBIDS THE TAXATION OF THE
CLERGY (1296-1297).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 113
et seqq. (English Historical Society Publications.)

A.—THE BULL "CLERICIS LAICOS."

Boniface, Bishop, servant of the servants of God, for the perpetual remembrance of this matter. Ancient writings declare the hostility of laymen to clerics in a city, and the

¹ Lie with.

² Plundered.

³ Hurt.

⁴ Excuse.

⁵ Gainsay.

⁶ Lose.

⁷ Misery.

⁸ Judged.

⁹ Heed.

¹⁰ Reason.

¹¹ How.

¹² Foes.

¹³ Judges.

experience of these present days confirms it, for laymen, not content with their own, strive to enter a forbidden sphere, and cast off restraint in quest of unlawful power; nor do they prudently remember that jurisdiction over clerics and ecclesiastics and their goods is prohibited to them; on the contrary, they impose heavy burdens on prelates of churches, churches, and the regular and secular clergy, talliage them, . . . and compel them to undergo all manner of servitude . . . ; further, . . . some prelates, . . . seeking a transitory peace, . . . acquiesce in such abuses, without obtaining the authority of the Apostolic See. We, therefore, wishing to prevent such occurrences, by the advice of our brethren, decree by our apostolic authority, that all prelates or clerics, . . . who pay or promise to laymen imposts or talliages, a half, a tenth, a twentieth, or a hundredth, of the goods and revenues belonging to themselves and their churches . . . without the authority of the same see; likewise all Emperors, Kings, Princes, Dukes, Earls, . . . and any others . . . who impose, exact, or receive such payments, . . . thereby incur the sentence of excommunication.

B.—ITS RECEPTION IN ENGLAND.

On the day after All Saints in the same year, the King held his Parliament at St. Edmund's, where he was granted, on his request, a twelfth by the people, and an eighth by the cities and boroughs; a fifth was demanded from the clergy, but they replied that they were unable to grant anything, and the King to receive anything, without each incurring the sentence of excommunication pronounced in the Bull; a result which they deemed the King did not desire, and which they knew would be injurious to themselves. But this reply did not satisfy the King, so postponement was made to another Parliament to be held at London on the day after St. Hilary, to see if after mature deliberation in the interval they would give a more favourable reply. At length the day came, and when the clergy were assembled, Master Robert of Winchelsea Archbishop of Canterbury, after hearing the advice

of the messengers sent from the King, replied as follows: "You know well, my lords, for it is undeniable, that under God Omnipotent we have two lords, one spiritual and one temporal; our spiritual lord is the Pope and our temporal lord the King; and although we owe obedience to each, yet in a greater degree to the spiritual than to the temporal; but with the aim of satisfying both, we permit and desire our special messengers to be sent at our expense to our spiritual lord the Pope, in order that we may have liberty to grant, or, at least, may be informed by him what we are to do; for we believe that our lord the King fears and wishes to avoid the sentence of excommunication pronounced in the Bull, even as we do. To this the King's messengers replied, "Appoint from among yourselves, my lords, men whom you may send to make these proposals to the lord King; for we, knowing that his wrath is roused, fear to tell him of them." When the clergy had done so, the King's anger broke forth, and giving way to furious rage, he declared the Archbishop of Canterbury himself and all the clergy of England outside his guardianship and protection; and ordered that all the lands—even the lands received in gift—of the Church of England should be taken into his own hand. And, as is believed, it miraculously happened that, on the very day on which the King outlawed the clergy, his soldiers were thrown into confusion and defeated, in Gascony, by the French. Even the King's Justiciar, seated at the tribunal, in the place of the King, said, publicly, in the hearing of all who were present: "Do you, who are attorneys of Archbishops, Bishops, Abbots, and Priors, and all other clerics, announce to your masters that for the future they shall receive no justice in the King's Court for anything, even though they suffer the most cruel wrongs; yet justice shall be done on them in the interest of all who complain against them and wish to have redress. Wonderful to tell! common justice, which is granted to the people, is, I know not for what reason, denied to the clergy; so Mother Church, which of old had dominion over her sons, now walks in bondage and servitude."

But Henry de Newark, Bishop-elect of York, the Bishops of Durham, Ely, and Salisbury, and some others, fearing the anger of the King, and imagining some grave danger to be impending, announced that they had in mind to deposit in their churches a fifth part of the ecclesiastical property of the year, for the defence of the Church of England and the warding off of a great crisis, so that they might avoid the King's anger, and yet not incur the sentence pronounced in the Bull. Thus, whatever was deposited by the clergy the treasury took into its possession; by so doing, and under a pretence granting a fifth, these Churchmen obtained the King's protection. But the Archbishop of Canterbury remained steadfast, refused to grant or deposit anything, and chose rather to incur the anger of the King than the sentence of excommunication; wherefore all his goods were seized, his gold and silver vessels, and all his horses; and his friends forsook him, nor was there even anything left for the maintenance of Christ's poor; and it was ordained, under pain of heavy forfeiture to the King, that no one should receive him to lodge within a religious house or elsewhere, heedless of the command of the Apostle, "Receive one another, as Christ also received you"; and he remained an outcast in the house of a simple rector, with only one priest and one clerk, not having in the whole diocese where to lay his head; yet he ordered himself even according to the word of God, begging publicly, ever ready to die for the Church, and everywhere protesting that all who had granted anything to the King or any other lay person, against the will of the lord Pope, had thereby surely incurred the sentence of excommunication.

The friends of Oliver, Bishop of Lincoln, who also had refused to perform the King's will, persuaded the Sheriff of Lincoln to take a fifth part of the Bishop's goods, and then restore him his possessions and lands. All the monasteries of that same episcopate, and of the whole Province of Canterbury, were taken into the King's hand, and by his command wardens were appointed who allowed to the monks the barest necessities, while everything else was gathered into the

Treasury. Whereupon the Abbots and Priors, driven by necessity, approached the King's Court, and redeemed, not their sins, but their own property, by the payment of a fourth. At that time the clergy received no justice, and clerks suffered many injuries. Churchmen were even robbed of their horses on the King's highway, and were unable to obtain justice, till they ransomed themselves and were received back into the royal protection.

THE NOBLES REFUSE TO GO TO GASCONY WITHOUT THE KING (1297).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 121 *et seqq.* (English Historical Society Publications.)

On the Festival of S. Matthew the Apostle in the same year, the King, having summoned the magnates of the kingdom without the clergy, held a Parliament at Salisbury, in which he requested some of the nobles to cross to Gascony. When all began to excuse themselves, the King grew angry, and threateningly told some of them that they would either go or that he would bestow their lands on others who were willing to go. At this many of the Barons were offended, and signs of quarrel began to be apparent. The Earl of Hereford (who was High Constable), and the Earl Marshal gave as their excuse that they would willingly perform the duties which devolved on them by hereditary right, by accompanying the King in person. The King once more repeated his request to the Earl Marshal, who replied: "Gladly will I accompany thee, Sir King, preceding thy royal person in the front rank, as is my hereditary right." "But thou wilt also accompany the others without me." "I am not bound, nor is it my will, Sir King, to set out without thee." Thereat, it is said, the King angrily burst forth: "By God, Sir Earl, thou shalt either go, or hang." "By the same oath, Sir King," replied the Earl, "I will neither go nor hang." Then, without making any agreement, he left the council, which was dissolved for that occasion. Very soon the Earl of

Hereford and the Earl Marshal, gathering round them many Barons, and choosing more than thirty bannerets, had collected a great host, to the number of fifteen hundred horsemen armed for battle; and the King began to be afraid, though he concealed his fear. Then the rebels, going to their own estates, refused to allow the King's officials to take wool or hides or to make any unusual exaction, or to extort anything from those unwilling to give; they even forbade the officials entrance to their estates, on pain of loss of life and limb, and occupied themselves in preparations for resistance.

The King, in this same year, abiding by his resolve, ordered all who owed him service, and all others who held from anyone twenty pounds worth of land within the kingdom of England, to be at London on the Feast of S. Peter ad Vincula, with horses and arms, prepared to cross with him without delay or excuse. . . . The Earl of Hereford and the Earl Marshal, who had seceded from the King, when they did not fulfil their obligations, were dismissed from their offices, and the offices given by the King to others, who would do his will. The Earls, much incensed thereat, especially since they were supporting not so much their own cause as that of the commonalty as a whole, informed the mediators, who were passing between them and the King, that not only they themselves, but the whole commonalty of the land, were oppressed beyond all bounds by unjust exactions, talliages and prises, and especially by the non-observance of the liberties of the Great Charter; and when they saw that the King's attitude was unyielding . . . they sent messengers to him . . . to say that if he would confirm the Charter of Liberties and redress certain abuses, they were all ready to follow him to life or death. . . .

When the lord King was at Portsmouth almost ready to cross (to Flanders), the Earls sent messengers to him to seek to know his will regarding the aforesaid proposals. And the King answered: "My full council is not here with me, . . . and without it I cannot reply to your demands. But go, tell them that sent you, that if they are willing to come with

me, they will do me a great pleasure; if they are not, I beg of them not to do injury to me or, at least, to the kingdom." . . . Then the aforesaid Earls, with certain Barons their accomplices, returning to London, forbade the King's Chancellor and his Barons of the Exchequer to collect the eighth penny of which the King had obtained a grant from the people, or the fifth from the clergy, or any other exaction or levy. And they besought the Londoners, as friends and brethren, to assist them to gain the liberties of the Great Charter, and to take measures for the recovery of their lost rights, and their preservation, when recovered; and lest they should afterwards be charged with unlawful robbery or extortion, the aforesaid Earls caused it to be publicly proclaimed that no one of their followers was to take anything, however small, from anyone, without paying the just price, and this under pain of losing the right hand, or even the head, should the seriousness of the crime so require. Then they returned to their own lands, doing no hurt or damage to anyone.

WILLIAM WALLACE (1297).

Source.—*The Book of Pluscarden*, pp. 117 *et seqq.* (*Historians of Scotland*, vol. x.)

The same year, that renowned champion William Wallace, the terror of the English, the son of a noble knight of the same name, rose in Scotland. He was very tall of stature, of great bodily strength, pleasant and merry of countenance, of kindly seeming to all his friends, but terrible to his foes, bounteous in gifts, most righteous in judgment. Being a true Scot, he loathed the English nation and their ways; and at the outset of his rebellion against the English nation, he slew the Sheriff of Lanark and many others with him. From that time there were gathered unto him all who were bitter in spirit and weighed down by the burden of most wretched thralldom under the unbearable domination of the English nation. He became their leader and one of the Wardens of Scotland; for he was a man of wonderful courage

and daring, of knightly origin. His brother, Sir Andrew Wallace, was girded with the belt of knighthood, and was a very distinguished and gallant knight; and his patrimony is still in the possession of his descendants. He himself, however, overthrew the English on all sides and was always successful against them, so that by force and by dint of his prowess he in a short time brought all the magnates of Scotland under his control, whether they would or no; and, when all had thus been gained over, he held out manfully, and devoted himself with all his might to storming the stronger castles and bringing under the sway and dominion of the Scots the strongholds where the English were in power, for his aim was ever skilfully to overthrow and undo the English, always sagaciously casting about to compass by tact and cunning all he was unable to achieve by force and the strong hand. In all his doings, and in the carrying out of every undertaking, he would exhort his comrades always to have the cause of the freedom of Scotland before their eyes in battle, and to charge in its name. He also told them off by fives, appointing one to have command and maintain discipline over four under him, and another over ten, and so with each of them; and he gave instructions that whoever would not obey his superiors in the ordering of the battle should be summarily put to death; and so on up to twenty-five and fifty and a hundred in their several ranks. . . . At length the renown of William Wallace's name was so spread about that the noise of the damage done by him to the natives of England reached the ears of the King of England, who sent into Scotland a large force of men-at-arms, with his Treasurer, Hugh Cressingham, to curb the daring of this William Wallace. On hearing this, William Wallace, who was then engaged on the siege of Dundee Castle, entrusted it to the burgesses, and, mustering his forces, set himself without much ado to oppose the aforesaid Treasurer with all haste. He accordingly engaged him at Stirling Bridge on the 11th of September, 1297, and made great havoc among his train. Sir Hugh was killed there, and the remnant of his army who escaped were

put to flight, and returned to England; many were drowned in the rout. So the said William happily gained the victory; and here the noble Andrew Murray fell by the sword, with a few others of Scottish birth. After this, however, William Wallace returned to the siege of Dundee Castle, and brought that place under his sway; and, finding there much treasure of the King of England, he generously distributed it among his companions in arms. Thereupon so great fear and trembling fell upon the enemy, that some of the wardens of castles left their castles and fled from the fortified places, while others, after sacking the castles, demolished the strongest towers and withdrew to their own country. Now from lack of grain there was a great dearth before the autumn, on account of which the General gave orders that the army should make its way into England and live there at the expense of the enemy, so as to save their own provisions and keep them for the winter. The aforesaid William Wallace likewise appointed that a gallows should be set up in every domain, so that all under orders to fight, if absent or flying from battle at a critical time without leave or reasonable cause, might be hanged thereon without mercy. When these matters had been settled and completed, he made his way towards England, and overran and ravaged the whole of Northumberland as far as Newcastle; thus he wintered in England at the expense of the enemy, and saved his country's substance; and he got home again safely with much riches and honour. . . .

During the time of his rule the Kingdom of Scotland prospered wonderfully in happiness and in manifold ways; everyone dwelt in safety with his own, and agriculture began to thrive everywhere. In spite, however, of all his good deeds and deserts in the interests of the state and the independence of the crown, certain sons of wickedness and imps of the devil conspired and devised mischief against him, framing lies and backbiting him behind his back while speaking him fair to his face and meditating treachery, saying within their hearts, "We will not have this man reign over us." But the lower orders

and the populace were exceedingly fond of him, as were also a good many of the older and wiser of the great men of the kingdom. For God of His loving-kindness sent this leader to snatch them from the snare of the fowler; and, whereas the whole of Scotland was unable at that time to defend herself, he, supported by the help of God and aided by the assistance of S. Andrew and S. Cuthbert, did his best to free her from the chain of perpetual slavery, and strove to exalt her with uplifted arm. So the death of the guileless lamb was devised by those envious haters of the happiness of mankind; and hard upon his death there followed struggles, the shipwreck of the clergy of Scotland, the ruin of the people, the downfall of the kingdom, and the destruction of the state.

THE CONFIRMATION OF THE CHARTERS (1297).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 147-151.
(English Historical Society Publications.)

While such deeds were being wrought by the perfidious race of the Scots, those of the King's council who were with his son, seeing that great danger threatened not only the King in distant parts but the whole realm of England, urged the King's son, who was residing at London within the city walls for fear of rebellion, to request and require the Earl Marshal and the Earl of Hereford, who, as has been explained, had revolted from his father, to join him, in peace and love. So he sent letters, asking them to come to the Parliament which he was holding in the stead of his father at London on the tenth day of October. They acceded to the request of their new ruler and future Prince, and came on that day, though not defenceless, for they brought with them fifteen hundred horsemen and a great number of chosen foot-soldiers; they then refused to enter the city gates until they were allowed to station their own guards at each gate, in case, entering without weapons, they should be shut in like sheep in a fold. When this was granted them, they entered, and after much debate and deliberation, by the mediation of the venerable father, Master

Robert of Winchelsea, Archbishop of Canterbury, of blessed memory, there was no other form of agreement than that the lord King himself should grant and confirm Magna Carta with certain additional articles, and the Charter of the Forest; and that he should promise to seek or exact in the future no aid or task from the clergy or people without the goodwill and assent of the Barons; and that he should set aside all bitterness against them and their associates. Finally, an agreement was drawn up in writing as follows:

I. Edward, by the grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to all who shall see or hear these present letters, greeting. Know that we, for the honour of God and of Holy Church, and for the good of our whole kingdom, have granted for ourselves and our heirs, that the Great Charter of Liberties and the Charter of the Forest, which were made by common assent of the whole realm, in the time of King Henry our father, shall be observed in every point without change. And we wish that these same charters be sent under our seal to our justices, both justices of the forest and others, and to all sheriffs of counties and to all our other officials, and to all our cities throughout the land; together with our writs, in which they shall be enjoined to publish the aforesaid charters, and to tell the people that we have granted them to be held in every point; and that our justices, sheriffs, mayors, and other officials who administer the law of the land under and through us, shall allow these charters in all their points in pleas before them and in judgments—that is to say, the Great Charter of Liberties as Common Law; and the Charter of the Forest according to the Assize of the Forest, for the betterment of our people.

II. And we wish that if any judgments be given henceforth against the provisions of the aforesaid charters, by justices and other officials of ours who hold pleas before them contrary to any point contained in the charters, they shall be undone and held as nought.

III. And we wish that these same charters under our seal be sent to the cathedral churches throughout our kingdom,

and remain there; and that they be twice a year read before the people.

IV. And Archbishops and Bishops shall pronounce the sentence of great excommunication against all those who shall come against the aforesaid charters in act, in deed, or in counsel, or shall infringe or oppose them in any way; and such sentences shall be pronounced and published twice a year by the aforesaid prelates. And should the same prelates, or any of them, be negligent in making the aforesaid denunciation, they shall, as is fitting, be reproved by the Archbishops of Canterbury and York for the time being, and compelled to publish the denunciation in the form aforesaid.

V. And because the people in our kingdom fear lest the aids and tasks, which they have hitherto given us for our wars and our needs, of their own grant and their own free will, in whatever manner they have been made, may become a fixed service for them and their heirs, should they at some time be found in the rolls, and likewise prises that have been taken throughout the kingdom by our officials in our own name, we have granted for ourselves and our heirs, that we shall not turn into a custom such aids, tasks, and prises, for anything that may be done or hereafter found in the rolls or in any other manner.

VI. We have also granted, for ourselves and our heirs, to the Archbishops, Bishops, Abbots, Priors, and other people of Holy Church, as also to the Earls and Barons and the commonalty of the whole realm, that never for any need shall we take in our kingdom such manner of aids, tasks, and prises, except by common consent of the whole kingdom and to the common profit thereof, save the ancient aids and prises due and accustomed.

VII. And forasmuch as the greater part of the commonalty of the realm feel themselves sore grieved by the maletote of wool, that is to say, a tax of forty shillings on each sack, and have begged us to release the same, we have fully released it in answer to their request; and we have granted that we shall never take it nor any other, without their

common assent and their good will; saving to us and to our heirs the custom on wool, skins, and leather, before granted by the commonalty of the realm aforesaid.

In witness whereof we have issued these letters patent. Witness Edward our son at London, on the tenth day of October, in the twenty-fifth year of our reign.

And be it remembered that this same charter in the same terms, word for word, was sealed in Flanders, under the great seal of the King, at Ghent, on the fifth day of November, in the twenty-fifth year of the reign of our aforesaid lord the King, and sent to England.

THE BATTLE OF FALKIRK (1298).

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 177-181. (English Historical Society Publications.)

Soon after, when severe famine was attacking the camp,* and the King had decided to return to Edinburgh in order to get provisions by way of the North Sea, and then advance against the Scots from another direction, two Earls—the Earl Patrick and the Earl of Angus—came at dawn on the day preceding the Festival of Mary Magdalene to the Bishop of Durham, and took him with them to the King. They introduced into the King's presence a young spy, who said, "Hail, O King"; and the King replied, "Hail to thee"; then the spy continued: "My lord King, the army of the Scots, your foes, is only six short leagues away from you, near Falkirk, in the Forest of Selkirk. Hearing that you are preparing to return to Edinburgh, they have decided to fall on your camp this evening, or at least to attack and despoil your outposts." "There is indeed a God," said the King, "who has hitherto delivered me from all danger; it will not be necessary for them to follow me, for I shall proceed against them even this day." Immediately he gave orders for all to arm, but did not announce whither he intended to go. Clad in full armour, he mounted his horse in front of the

* The English army was at this time encamped at Kirkliston, in Linlithgowshire, about eight miles west of Edinburgh.

army and exhorted them all to take up their arms; then he spoke in person to the sellers of wares, enjoining them to pack their bundles and follow him without fear. Finally, when all was ready, about the third hour, the King left Kirkliston, and directed his march towards the place which goes by the name of Falkirk. And all wondered that he had changed his intentions, and caused the army to advance slowly and dispersedly without any haste.

When they had come to a moor nigh to Linlithgow, they spent the night there, resting on the ground, with their shields for pillows and their weapons for couches. The horses, which had tasted nothing but hard iron, were picketed each near his master; after they had halted for some time, and the night was about half-way over, it happened that the King's war-horse, which was guarded somewhat carelessly by a small boy, in stamping its foot, struck the sleeping King. So soon as the news spread that the King was hurt, someone raised the cries of "treachery" and "the enemy are upon us." Whereupon they got themselves ready and were eager for battle. But when the true version of the incident became known, that the King was but slightly hurt, they felt pity for him, and the excitement vanished. Then the King rose immediately, and they set out and passed through the town of Linlithgow at the dawn of the day. When they raised their eyes and looked at the hill opposite, they saw on its crest a number of spearmen. Believing them to be the army of the Scots, they hastened to ascend the slopes of the hill in battle array, but when they reached the top, found none. On this spot a tent was pitched, and the King and the Bishop heard the Mass of the Magdalene (the Magdalene being the saint of the day). While the celebration was taking place, and it was light enough for them to see one another, our men saw the Scots at a distance arranging their lines and preparing for battle. They had drawn up all their men in four circular bodies on the hard ground of a slope near Falkirk. These circles were composed of spearmen, with their spears pointing upwards; they were joined one to another, and stood with

their faces turned towards the circumference of the circles. Between the circles were spaces, occupied by archers; in the extreme rear were the cavalry. When, on the conclusion of Mass, the King was informed of what could be seen, he hesitated, and proposed that they should pitch their tents until horses and men had broken their fast, for they had not partaken of food from the third hour of the previous day. But his men answered: "It is not safe here, O King, for between the two armies there is only a small stream." "And what of that?" asked the King. "Let us advance in the name of the Lord," replied they, "for the field is ours and the victory is ours." "So let it be," said the King, "in the name of the Father, of the Son, and of the Holy Ghost."

Immediately the leaders of the front rank—the Earl Marshal, the Earl of Hereford, and the Earl of Lincoln—advanced straight towards the enemy, not knowing that there was a morass in the intervening ground. When they saw it, they made a detour round it on the west side, and so were delayed in their arrival; but the second rank, that of the Bishop of Durham, composed of thirty-six chosen veterans, knowing that the morass was in their way, struck out to the east to avoid it. As they hastened at full speed in order to be the first to engage, the Bishop commanded them to await the approach of the King's third line. Ralph Basset, of Drayton, a valiant soldier, answered him: "It is not your part, my lord Bishop, to give us our fighting orders at this moment when you ought to be engaged in celebrating Mass. Go, if you wish to celebrate Mass, for this day we shall all act as befits soldiers." They hastened on, and soon after engaged the first circle of the Scots; then the aforesaid Earls came up from the other side with the first rank. As soon as our men approached, the Scots cavalry fled without striking a blow, a few only remaining to give orders to the foot-soldiers, who were drawn up in circles called "schiltrons." Among them was the brother of the Seneschal of Scotland, who, when he was directing the bowmen of the Forest of Selkirk, fell by chance from his horse, and was slain among the bowmen, who sur-

rounded him and died with him. They were men of comely build and commanding stature. When the bowmen were thus cut down, our men proceeded to attack the Scots spearmen, who, as we have said, were stationed in circles, with sloping spears, after the manner of a closely-planted wood. And while our horsemen could not advance for the number of spears, those of the enemy on the outside struck at and pierced several with their spears. But our foot-soldiers shot at them with arrows, and then, securing a quantity of round stones, of which there was abundance near, stoned them. So, when many had been slain and the others confounded, the remainder of the outer ring were thrown back on the thers, and our horsemen broke in and swept the field.

There fell of the Scots on that day, besides an unknown number who were drowned and about twenty horsemen, 50,000 foot-soldiers. The army of the Scots, according to the report given by prisoners, numbered about 1,000 horsemen, and about 300,000 foot-soldiers. But the Lord preserved our men, and no man of note fell in the whole battle save only the Master of the Knights of the Temple, who was caught in a morass and slain while he pursued the fugitives.

SCOTLAND AFTER FALKIRK (1298-1303).

Source.—*The Book of Pluscarden*, pp. 168 et seqq. (*Historians of Scotland*, vol. x.)

After the battle lost (by the Scots) at Falkirk, the King of England did not for the nonce personally come north of the Firth of Forth; but he sent a very large force, which ravaged the whole land of Fife and all the adjacent lands of the town of Perth, and killed great numbers of the inhabitants of those lands; and when this force came back, the said King and his men went home again with immense booty. This, no doubt, was God's doing; for if then, or after the engagement at Dunbar and the capture of King John, he had tarried in the country, he would, as is believed, either have subdued to his sway the whole land of Scotland and its inhabi-

tants, or have laid it waste, all but the water and the stones. As, however, he was very busy elsewhere, he could not attend to everything at one and the same time. So he and his men went back, after appointing administrators, officers, and wardens of the castles in Scotland, in the parts, namely, beyond the Forth, which part of the country was then fully under his dominion, with the exception of a few outlaws of the nation of the true Scots, who lived in the woods and were lurking in caves in rocks and glens, and who, on account of the slaughter and losses they had inflicted on both English and Anglicised Scots, durst not appear openly in the sight of the people. But at this time John Comyn, the Chief Warden of Scotland, and his son, and Simon Fraser, called Fresail, warlike men, stalwart, and endowed with every virtue, together with their partisans and followers, day and night lay in wait for the aforesaid officers, bailiffs, and wardens of castles of the King of England, and greatly harassed the aforesaid English, as also the Anglicised Scots, as above stated; and for four years or more they kept harrying one another with mutual slaughter and divers scourges and torments. . . .

In the year 1303 the King of England entered Scotland with a very large force, which he had brought with him from both England and Wales, Gascony, Ireland, and Savoy—the Count of which was there in person, as well as the Prince of Wales—both by land and by sea, . . . with the deliberate design of peacefully settling in that land of Scotland altogether and subduing it for ever, or, on the other hand, entirely sweeping away its inhabitants and leaving the said land a waste. The King, therefore, scouring the whole country over hill and dale as far as Lochindorb,* received oaths of fealty and homage from all the inhabitants, and himself personally brought the northern parts under his dominion. Then, after appointing his royal officials and officers in the towns and castles, the King went about exploring the country, and brought it all under his allegiance

* Near Elgin.

and dominion; and he remained at Dunfermline to spend the winter, and no one in all Scotland hindered him, or brought force to bear against him; but he rested in peace until Candlemas. In this year Edward of Carnarvon, then Prince of Wales, spent some time in the town of Perth, and during the whole of this time food was so plentiful and abundant in Scotland that a laggen* of good beer sold commonly for twopence, and a laggen, Scottish measure, of good wine for eightpence. The same year, after the whole people of Scotland had made its submission to the King of England, John Comyn, then Head Warden, and all the magnates of Scotland, except that noble leader William Wallace, and his partisans and followers, were little by little brought by the aforesaid King to make their submission and swear allegiance to him, giving up to him the towns, castles, and all the strongholds but Stirling Castle and its garrison. . . .

Just after the Easter Festival, the said King Edward besieged Stirling Castle for three months without a break; and he ordered the whole of the lead of the monastery of St. Andrews to be stripped off and carried to Stirling aforesaid for the construction of the engines for the siege. At length, however, the warden of the said castle, William Oliphant by name, surrendered the castle to him, under a certain condition in writing and under seal. But, notwithstanding his promise, the King, on taking the castle, belied his word and broke through the condition by taking the said William Oliphant, the warden of the said castle, in bonds with him to London, and consigning him to a fearful dungeon. The same year also, when he had taken castles, towns and all the other strongholds, and the whole of the leading lords of the realm had made their submission to him; and the whole of the castles and towns formerly destroyed had been rebuilt, and there was no one but William Wallace alone who remained faithful to the King of Scotland; and after he had appointed wardens and officers of his own there, and all and sundry of the Scottish nation had taken the oaths of fealty and homage, the said King, together with the Prince of Wales and their

* Probably in about seven quarts.

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armies, went back to England, leaving, however, one Chief Warden as his lieutenant to put down and chastise any outbreaks by any of the rest, both Scottish and English; and he never afterwards showed his face in Scotland. After his departure, the English nation lorded it in every part of Scotland, harassing the Scots in many and manifold ways, and ruthlessly doing them to death with wrongs, massacres, and stripes, under the awful yoke of slavery.

ROBERT THE BRUCE CROWNED KING OF SCOTLAND (1306).

Source.—*Nicholas Trivet's Annals*, pp. 407-408. (English Historical Society Publications.)

In the same year, on the twenty-ninth day of January, Robert the Bruce, aspiring to the kingdom of Scotland, sacrilegiously slew the noble John Comyn, who had refused to abet his treacherous rebellion, in the church of the Minorite Brethren at Dumfries, in the castle of which town the King's justices were then sitting. Thereafter, on the Feast of the Annunciation of the Blessed Virgin, he had himself solemnly crowned King in the abbey of Canons Regular at Scone. The wife of the Earl of Buchan secretly departed from her husband, taking all his war-horses with her, and hastened to Scone to place the diadem on the head of the new King; for her brother, the Earl of Fife, on whom devolved the duty by hereditary right, was then absent in England. This Countess was captured in the same year by the English, but, when some of them wished to put her to death, the King interfered; instead, he confined her in a wooden cage on the wall of the Castle of Berwick, so that she might be seen by the passers-by.

DEATH OF EDWARD THE FIRST (1307):

Source.—*Walter of Hemingburgh's Chronicle*, vol. ii., pp. 266-267. (English Historical Society Publications.)

When the evil intents of the new King (Robert the Bruce) became known, our King sent to the nobles of the land ordering them to come to Carlisle, ready for war, a fortnight after the

blessed John the Baptist's day. In the interval, because the King was afflicted with severe dysentery, and none had speech with him save with his attendants, it was noised abroad among the people that the King was dead. Edward, hearing this, ordered everything to be prepared for his journey to Scotland, and moved his camp almost two miles from Carlisle on the third day of July—a Monday; on the Tuesday he rode almost two miles; on the fourth day of the week he rested, but on the Thursday he proceeded to Burgh-on-Sands, and there he proposed to remain over the following day. It was his habit and custom almost every day to remain in bed until the ninth hour; but on the Friday, when he was being raised up by his attendants to partake of food, he expired in their arms. The King departed from this world on the day of the translation of S. Thomas, Archbishop and martyr; his servants concealed the death of the King until his son and the nobles of the kingdom should come, and many were imprisoned for proclaiming it. When the Prince his son and the other nobles arrived, they decreed that the King's body should be removed with all honour to the south by his Treasurer, the Bishop of Chester, and all his household, and should remain in the church of the monks of Waltham until some definite policy should be adopted regarding Scotland, and there should be leisure to arrange for sepulture; and this was done.

EPITAPH OF EDWARD I.

HIC JACET EDWARDUS PRIMUS, MALLEUS SCOTORUM,
PACTUM SERVA.

(Here lies Edward the First, the Hammer of the Scots.
Keep troth.)

